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## LEGISLATIVE HISTORY

Public Law 85-381

H. R. 9821

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DIGEST OF PUBLIC LAW 85-381

FEDERAL-AID HIGHWAY ACT OF 1958. Authorizes appropriations of \$900 million for the fiscal year 1960, and \$925 million for 1961, for the Federal-aid highway system. Authorizes an additional \$5 million for the fiscal year 1959 for both forest highways and forest development roads and trails, and authorizes for each of the fiscal years 1960 and 1961 appropriations of \$33 million for forest highways and \$30 million for forest development roads and trails. Specifies the manner in which the amounts authorized for forest highways would be apportioned among the States, Alaska, and Puerto Rico. Provides for States to use for forest highways on Federal-aid systems a specified portion of the funds which would be authorized to be appropriated for Federal-aid highways. Directs the Secretary of Commerce in cooperation with the Secretary of Agriculture and appropriate State officials to make a forest highway study. Specifies when the funds authorized for Federal domain roads, including forest highways and forest development roads and trails, would be available for contracting.



INDEX AND SUMMARY OF H. R. 9821

Jan. 8, 1958 Rep. Fallon introduced and discussed H. R. 9821 which was referred to the Public Works Committee. Print of bill as introduced. Remarks of author.

Feb. 25, 1958 House committee approved H. R. 9821 with amendment.

Mar. 6, 1958 House committee reported H. R. 9821 with amendment. H. Report No. 1480. Print of bill and report.

Sen. Gore and others introduced S. 3414, which was referred to the Public Works Committee. Print of bill. Remarks of Sen. Gore.

Mar. 11, 1958 Rules Committee reported resolution for consideration of H. R. 9821. (H. Res. 501, Rept. No. 1496).

Mar. 13, 1958 House passed H. R. 9821 as reported.

Senate subcommittee ordered S. 3414 reported.

Mar. 14, 1958 H. R. 9821 was referred to the Senate Public Works Committee. Print of bill as referred.

Senate committee ordered S. 3414 reported with amendments.

Mar. 22, 1958 Senate committee reported S. 3414 with amendment. S. Report No. 1407. Print of bill and report.

Mar. 24, 1958 Senate began debate on S. 3414.

Mar. 25, 1958 Senate continued debate on S. 3414. (Excerpts from committee report quoted in Digest).

Mar. 26, 1958 Senate continued debate on S. 3414.

Mar. 27, 1958 Senate passed H. R. 9821 with amendments (with language of S. 3414). Print of bill as passed. Senate appointed conferees.

S. 3414 indefinitely postponed due to passage of H. R. 9821.

Mar. 28, 1958 House disagreed with Senate amendments and appointed conferees.

Mar. 31, 1958 Rep. Davis replaced Rep. Jones, Ala., as a conferee.

Apr. 1, 1958 Conferees agreed to file a report.

Apr. 2, 1958 House received conference report. H. Report 1591.

Apr. 3, 1958 Both Houses agreed to conference report.

Apr. 16, 1958 Approved: Public Law 85-381.











85TH CONGRESS  
2D SESSION

# H. R. 9821

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 1958

Mr. FALLON introduced the following bill; which was referred to the Committee on Public Works

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## A BILL

To amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3                               FEDERAL-AID HIGHWAYS

4       SECTION 1. (a) (1) AUTHORIZATION OF APPROPRIA-  
5       TIONS.—For the purpose of carrying out the provisions of  
6       the Federal-Aid Road Act approved July 11, 1916 (39  
7       Stat. 355), and all Acts amendatory thereof and supple-  
8       mentary thereto, there is hereby authorized to be appro-  
9       priated the sum of \$900,000,000 for the fiscal year ending  
10      June 30, 1960; and the sum of \$925,000,000 for the fiscal

1 year ending June 30, 1961. The sums herein authorized  
2 for each fiscal year shall be available for expenditure as  
3 follows:

4 (A) 45 per centum for projects on the Federal-aid  
5 primary highway system.

6 (B) 30 per centum for projects on the Federal-aid  
7 secondary highway system.

8 (C) 25 per centum for projects on extensions of these  
9 systems within urban areas.

10 (2) APPORTIONMENTS.—The sums authorized by this  
11 section shall be apportioned among the several States in the  
12 manner now provided by law and in accordance with the  
13 formulas set forth in section 4 of the Federal-Aid Highway  
14 Act of 1944, approved December 20, 1944 (58 Stat. 838).

15 (b) AVAILABILITY FOR EXPENDITURE.—Any sums  
16 apportioned to any State under this section shall be available  
17 for expenditure in that State for two years after the close of  
18 the fiscal year for which such sums are authorized, and any  
19 amounts so apportioned remaining unexpended at the end of  
20 such period shall lapse: *Provided*, That such funds shall be  
21 deemed to have been expended if a sum equal to the total  
22 of the sums herein and heretofore apportioned to the State  
23 is covered by formal agreements with the Secretary of Com-  
24 merce for construction, reconstruction, or improvement of  
25 specific projects as provided in this title and prior Acts:

1 *Provided further*, That in the case of those sums heretofore,  
2 herein, or hereafter apportioned to any State for projects  
3 on the Federal-aid secondary highway system, the Secretary  
4 of Commerce may, upon the request of any State, discharge  
5 his responsibility relative to the plans, specifications, esti-  
6 mates, surveys, contract awards, design, inspection, and con-  
7 struction of such secondary road projects by his receiving  
8 and approving a certified statement by the State highway  
9 department setting forth that the plans, design, and construc-  
10 tion for such projects are in accord with the standards and  
11 procedures of such State applicable to projects in this cate-  
12 gory approved by him: *Provided further*, That such ap-  
13 proval shall not be given unless such standards and proce-  
14 dures are in accordance with the objectives set forth in sec-  
15 tion 1 (b) of the Federal-Aid Highway Act of 1950:  
16 *And provided further*, That nothing contained in the fore-  
17 going provisos shall be construed to relieve any State of its  
18 obligation now provided by law relative to maintenance,  
19 nor to relieve the Secretary of Commerce of his obligation  
20 with respect to the selection of the secondary system or the  
21 location of projects thereon, to make a final inspection after  
22 construction of each project, and to require an adequate  
23 showing of the estimated and actual cost of construction of  
24 each project. Any Federal-aid primary, secondary, or urban  
25 funds released by the payment of the final voucher or by



1 modification of the formal project agreement shall be credited  
2 to the same class of funds, primary, secondary, or urban,  
3 previously apportioned to the State and be immediately  
4 available for expenditure.

5 FOREST HIGHWAYS AND FOREST DEVELOPMENT ROADS

6 AND TRAILS

7 SEC. 2. (a) AUTHORIZATION OF APPROPRIATIONS.—

8 For the purpose of carrying out the provisions of section 23  
9 of the Federal Highway Act of 1921 (42 Stat. 218), as  
10 amended and supplemented, there is hereby authorized to  
11 be appropriated (1) for forest highways the sum of \$30,-  
12 000,000 for the fiscal year ending June 30, 1960, and a  
13 like sum for the fiscal year ending June 30, 1961; and  
14 (2) for forest development roads and trails the sum of  
15 \$27,000,000 for the fiscal year ending June 30, 1960, and  
16 a like sum for the fiscal year ending June 30, 1961:  
17 *Provided*, That with respect to any proposed construction  
18 or reconstruction of a timber access road, advisory public  
19 hearings shall be held at a place convenient or adjacent to  
20 the area of construction or reconstruction with notice and  
21 reasonable opportunity for interested persons to present their  
22 views as to the practicability and feasibility of such con-  
23 struction or reconstruction: *Provided further*, That hereafter  
24 funds available for forest highways and forest development

1 roads and trails shall also be available for adjacent vehicular  
2 parking areas and for sanitary, water, and fire control  
3 facilities: *And provided further*, That the appropriation  
4 herein authorized for forest highways shall be apportioned  
5 by the Secretary of Commerce for expenditure in the several  
6 States, Alaska, and Puerto Rico in accordance with the  
7 provisions of section 3 of the Federal-Aid Highway Act  
8 of 1950.

9 ROADS AND TRAILS IN NATIONAL PARKS, AND SO FORTH

10 SEC. 3. (a) NATIONAL PARKS, AND SO FORTH.—For  
11 the construction, reconstruction, and improvement of roads  
12 and trails, inclusive of necessary bridges, in national parks,  
13 monuments, and other areas administered by the National  
14 Park Service, including areas authorized to be established as  
15 national parks and monuments, and national park and monu-  
16 ment approach roads authorized by the Act of January 31,  
17 1931 (46 Stat. 1053), as amended, there is hereby author-  
18 ized to be appropriated the sum of \$16,000,000 for the fiscal  
19 year ending June 30, 1960, and a like sum for the fiscal  
20 year ending June 30, 1961.

21 (b) PARKWAYS.—For the construction, reconstruction,  
22 and improvement of parkways, authorized by Acts of Con-  
23 gress, on lands to which title is vested in the United States,

1 there is hereby authorized to be appropriated the sum of  
2 \$16,000,000 for the fiscal year ending June 30, 1960, and  
3 a like sum for the fiscal year ending June 30, 1961.

4 (c) INDIAN RESERVATIONS AND LANDS.—For the con-  
5 struction, improvement, and maintenance of Indian reserva-  
6 tion roads and bridges and roads and bridges to provide access  
7 to Indian reservations and Indian lands under the provisions  
8 of the Act approved May 26, 1928 (45 Stat. 750), there  
9 is hereby authorized to be appropriated the sum of \$12,-  
10 000,000 for the fiscal year ending June 30, 1960, and a  
11 like sum for the fiscal year ending June 30, 1961: *Provided*,  
12 That the location, type and design of all roads and bridges  
13 constructed shall be approved by the Secretary of Commerce  
14 before any expenditures are made thereon, and all such con-  
15 struction shall be under the general supervision of the Secre-  
16 tary of Commerce.

17 PUBLIC LANDS HIGHWAYS

18 SEC. 4. For the purpose of carrying out the provisions  
19 of section 10 of the Federal-Aid Highway Act of 1950  
20 (64 Stat. 785), there is hereby authorized to be appro-  
21 priated for the survey, construction, reconstruction, and  
22 maintenance of main roads through unappropriated or unre-  
23 served public lands, nontaxable Indian lands, or other Fed-  
24 eral reservations the sum of \$2,000,000 for the fiscal year



1 ending June 30, 1960, and a like sum for the fiscal year  
2 ending June 30, 1961.

3 SPECIAL PROVISIONS FOR FEDERAL DOMAIN ROADS, AND  
4 SO FORTH

5 SEC. 5. Any funds authorized herein for forest high-  
6 ways, forest development roads and trails, park roads and  
7 trails, parkways, Indian roads, and public lands highways  
8 shall be available for contract upon apportionment, or a date  
9 not earlier than one year preceding the beginning of the  
10 fiscal year for which authorized if no apportionment is re-  
11 quired: *Provided*, That any amount remaining unexpended  
12 two years after the close of the fiscal year for which author-  
13 ized shall lapse. The Secretary of the department charged  
14 with the administration of such funds is hereby granted au-  
15 thority to incur obligations, approve projects, and enter into  
16 contracts under such authorizations, and his action in doing  
17 so shall be deemed a contractual obligation of the Federal  
18 Government for the payment of the cost thereof, and such  
19 funds shall be deemed to have been expended when so obli-  
20 gated. Any funds heretofore, herein, or hereafter author-  
21 ized for any fiscal year for forest highways, forest develop-  
22 ment roads and trails, park roads and trails, parkways, Indian  
23 roads, and public lands highways shall be deemed to have  
24 been expended if a sum equal to the total of the sums author-

1 ized for such fiscal year and previous fiscal years since and  
2 including the fiscal year ending June 30, 1955, shall have  
3 been obligated. Any of such funds released by payment of  
4 final voucher or modification of project authorization shall  
5 be credited to the balance of unobligated authorizations and  
6 be immediately available for expenditure.

7 RELATIONSHIP OF THIS ACT TO OTHER ACTS; EFFECTIVE  
8 DATE

9 SEC. 6. All provisions of the Federal-Aid Road Act  
10 approved July 11, 1916, together with all Acts amendatory  
11 thereof or supplementary thereto, not inconsistent with this  
12 Act, shall remain in full force and effect and be applicable  
13 hereto. All Acts or parts of Acts in any way inconsistent  
14 with the provisions of this Act are hereby repealed. This  
15 Act shall take effect on the date of enactment.

16 SHORT TITLE

17 SEC. 7. This Act may be cited as the "Federal Highway  
18 Act of 1958".





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# A BILL

To amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways.

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By Mr. FALLON

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JANUARY 8, 1958

Referred to the Committee on Public Works

savings. Despite these advances, Mr. Speaker, study after study has shown that two-thirds of our older people are trying to scrape along on incomes of less than \$1,000 a year. A recent nationwide study from the University of California compared the amount of income received by older persons with careful estimates of the cost of living. The conclusion reached by the California scientists is that almost one-half of our older couples and about three-fourths of our older individuals do not have enough income to live at a minimum standard of health and decency.

In October, I participated in some hearings which were held as part of a survey of Rhode Island's programs on aging. This study directed by the special staff on aging in the Office of the Secretary of the Department of Health, Education, and Welfare brought together the leaders in aging from that Department, the Department of Labor, Veterans' Administration, Federal Housing Administration, and the Small Business Administration. A report of their findings and recommendations will be available by the end of this month and will serve as a useful document and an excellent example of Federal, State, and local cooperation.

During these meetings I was appalled to learn that many of the retired workers and widows in my own State do not have enough income to pay for maintenance and special assessments on their homes, for medical care, or even, in some cases, for transportation to attend religious services and recreation centers. We are living in an economy of abundance; the output of our total productive machine is greater than that of any other country in the world. I feel that we have a clear obligation to bring together the experts along with representatives of the older population itself to obtain the benefit of their thoughts and advice on how we can remedy the financial situation I have described.

It is not possible to explore the whole field of health at this time, but I do wish to point out that something like three-fifths of our older people are suffering from 1 and often 2 or more long-term illnesses and that many of these are in desperate need of medical care. Poor health accounts for more than one-half of the retirements from work today. At the same time there seems to be a rising opinion among medical people and gerontologists that much of the current disability and deterioration among older people is totally unnecessary. It was recently reported to me, for example, that in 1 of our Midwestern States the mental hospitals are sheltering 5,000 older people who are there merely because their communities have neglected them.

I am told in some countries with an older population similar to ours, not a single hospital has been built since the end of the war. There are even empty beds in their mental hospitals. What is the explanation for this amazingly contrasting situation? Why are we in this country asking for huge appropriations to build more mental hospitals for our older people? Some have indicated that special hospital services, nursing

care, physical and occupational therapy, housekeeping help, and even hot meals are being provided to older people in their own homes.

This is another area that could be explored by a White House Conference on Aging. My emphasis thus far has been on the financial aspects of hospitalization and medical care, but beyond these there are very important humanitarian considerations. Longer years of living will be nothing more than added years of misery if they are to be spent in sickness and in progressive decline in a mental hospital. Our older citizens want to be healthy and they want to remain in their own homes and communities. We cannot go on putting them out of sight in any convenient storage place.

There are some highly significant developments in the rehabilitation and restoration of older people in Illinois, Michigan, Pennsylvania, New York, and in other States. The experience these places are having can and should be shared with other professional and lay people in the State conferences and in the White House Conference on Aging called for in the bill I am introducing.

Much of the progress we hope will be made in improving the health and other circumstances of older people depends upon further research. A good deal of research is being done—on medical problems and the aging process, on methods of rehabilitation, on the psychological and sociological factors in aging, on the characteristics of older workers, and on other problems. I believe my colleagues will agree that it is important to bring some of these research workers together in a White House Conference on Aging and ask them to suggest how we may speed up the progress of research, for I believe that the increase in the number of older people and in their problems is outstripping the discovery of knowledge and the development of programs of action.

Now I should like to return to the important matter of housing. In 1952, we made an intensive study of the housing circumstances and needs among the older people of Rhode Island. One of the tragic conclusions reached by the Study Commission was that 33 percent of our older people are without central heating in their homes and that 27 percent are forced to live in housing that is grossly substandard in other respects. More than one-fourth of Rhode Island's older population are living in homes that are dilapidated or without elemental sanitary facilities.

Among those who are trying to live on public assistance, the situation is almost twice as bad for some 53 percent of these were found in dilapidated housing or lacking the basic sanitary facilities. And let me point out, Mr. Speaker, that we as a society are fostering this kind of living. Every time a public assistance grant is made to cover the rent of an older person living in a dilapidated or unsanitary dwelling we are subsidizing the continued existence of that dwelling.

The picture I have been describing is that of my own State of Rhode Island. I wish that I could assure my colleagues here in the House that the older people in their own districts are living more

comfortably. I cannot do so. The figures that I have cited for my own State parallel very closely those reported by the Bureau of the Census for the country as a whole. Decent housing for our senior citizens is a nationwide need.

Yet, I have not presented the total housing problem by any means. What I have described is merely the physical characteristics of the places our older people are forced to call their homes. I have said nothing about the tremendous loneliness and isolation of large proportions of our aged couples and particularly of the millions of older people who are widowed or who were never married.

During recent years there have been significant experiments in the development of both community and institutional housing for older people. No systematic studies have been undertaken, as far as I know, on the extent to which these various kinds of housing and living arrangements are meeting the needs of the older people who are living in them. I consider it to be of first importance that the people who are having the experience, with this housing should be brought together to share with others the knowledge they are gaining and to make recommendations for broad programs of action.

Earlier I spoke about our wasteful policies regarding the utilization of middle-aged and older workers and I believe this matter is of utmost importance. At the same time we must recognize that the majority of our older people will have to look elsewhere for their principal satisfactions of living.

Some 60 percent, or about 4 million, of our older men and 90 percent, or about 7 million, of our older women are not working and are not likely to work again unless it is in some form of part-time employment. These people, all past the age of 65, by and large, have ended their work careers. These 11 million men and women and a good many more below the age of 65 represent the achievement of longer life; they are people whose lives have been extended beyond the period in which they made their principal contributions to society. It is they who helped build the country and to whom we owe a great deal.

The tragedy is that we have not found new ways in which they can be useful and enjoy the satisfactions of belonging and self-sufficiency. Our tendency has been to set them aside and to ignore them when we should have been providing new opportunities through which they could be useful. We have, in short, created longer life and more years in retirement without making them self-sufficient and meaningful years.

This, Mr. Speaker, represents to me the great tragedy of aging. Social isolation, lonesomeness, and inactivity lead to physical and mental deterioration and dependency. Unless we do something about it, I am convinced that we shall have an enormous amount of physical and mental breakdown which will fill our hospitals and old-age homes to overflowing and a growing population of embittered older people.



The most hopeful aspect of this situation is that older people themselves, for the most part, do want to be active and useful. In a few places where evening schools and libraries are providing special programs for them, older people are taking advantage of them. Activity centers are being set up around the country and are doing a thriving business in education, arts and crafts, and recreation—all of which are keeping older people healthy and happy. Here and there the older citizens have created work opportunities for themselves. Several cities report that older people have organized themselves and offered their services as voluntary contributions to their communities.

These are all good signs but we know too little about them and their spread is altogether too slow. A White House Conference on Aging could bring together those who are providing these opportunities, together with the experts on aging and representative older people. From them we should rightfully expect clear conclusions and recommendations as to the lines of action which offer promise of making the later years worthwhile for all of our older people.

I should like also to mention the need for trained personnel to work in many different capacities with our older people. Old age is a special period of life and there is general agreement that special training is required for those who are going to work with the aging and aged. This is true in the health services, in employment counseling, in adult education and recreation, and in the administration of institutions which minister to the needs of the elderly.

Let me give you one example, Mr. Speaker. There are about 25,000 homes for the aged and nursing homes in the United States and they are housing more than 500,000 older people. Yet, to the best of my knowledge, there is not one bona fide training program in the country through which the administrators of these homes can receive adequate preparation for their jobs. Perhaps I should remind my colleagues here in the House that many of us have relatives and that all of us have constituents living in these institutions for the aged, and, even further, that many of us may find ourselves in one of them before we are done with life.

Mr. Speaker, I submit it is very important that we bring together in a White House Conference on Aging those who are competent to develop the specifications for the training programs required and to develop recommendations as to where and how they may best be provided.

Within these few minutes I think I have made out a case for asking the President to call a national conference on aging. It is 8 years since the first conference on aging was held. Considerable experience has been gained in the interval and many additional organizations and individuals have entered the field of aging. I am certain there would be great value in providing them opportunity to come together, first in their own States and then in a national forum, to take stock of where we are

and where we should be going. The first conference on aging stimulated a good deal of activity. A White House conference would stimulate more, and it cannot come too quickly.

Mr. BOLAND. Mr. Speaker, I rise to compliment the distinguished gentleman from Rhode Island for introducing this bill to provide for a White House Conference on Aging in 1958. His proposal has great merit and he is to be commended for generating interest and feeling in this important matter.

As chairman of the Appropriations Subcommittee for the Department of Health, Education, and Welfare, the gentleman from Rhode Island, Congressman FOGARTY, is one of the best informed Members of this body on the problems of aging citizens in the fields of health and welfare. His long experience as a committee member has given him a thorough knowledge in these matters. He has been singled out and honored many time by great American health and medical organizations for the time and effort he has expended in the field of health, education, and welfare.

The gentleman from Rhode Island, [Mr. FOGARTY] has pointed out that the problems of our senior citizens are manifold. One of them is the housing problem. In the last session I filed a bill, H. R. 4084, to amend the United States Housing Act of 1937 to establish a program for the housing of elderly persons of low income. The States cannot solve this problem alone. In my own State of Massachusetts the housing for the aged program is completely a State proposition, but there is a need for many more housing units than the State can provide. An adequate number of decent, safe, sanitary housing units for low-income elderly persons is a challenging problem that increases with the years as the number of our senior citizens grows.

I certainly hope that the Banking and Currency Committee will give serious consideration to my housing for the elderly bill and that this problem be given serious study by a White House Conference on Aging as proposed by the gentleman from Rhode Island, Congressman FOGARTY. His suggestion for such a conference on aging is an excellent one. We must amass the thinking, suggestions, and experience of people who are now working in the health and welfare fields all over the country. Only in this way can we get to the crux of the problems facing elderly citizens. By means of such a conference we can merge the best ideas into a well-integrated program to assist in solving the difficult problems that our elderly citizens are now faced with.

#### FEDERAL AID FOR STATE PRIMARY AND SECONDARY ROADS

The SPEAKER. Under previous order of the House, the gentleman from Maryland [Mr. FALLON] is recognized for 5 minutes.

Mr. FALLON. Mr. Speaker, I am today introducing a bill to continue in fiscal years 1960 and 1961 the long-established

programs of Federal aid for State primary and secondary roads and their urban extensions, as well as Federal funds for the so-called public-land roads.

This is the regular biennial authorization measure for this purpose. The bill itself is relatively simple in scope and does not seek to deal with the more complex and controversial subjects associated with Federal aid for the vast Interstate Highway System.

The bill includes no departures from established policy.

It recognizes the declaration of intent of the House as expressed in the last highway bill as it passed the House in April 1956.

Here are the words:

Recognizing it to be in the national interest to foster and accelerate the construction of a safe and efficient system of Federal aid highways in each State, it is hereby declared to be the intent of Congress progressively to increase the annual sums herein authorized, for construction of projects on the Federal-aid primary and secondary systems and approved extensions thereof in urban areas, by amounts which in each succeeding year shall provide an increase over the total amounts authorized for each immediately preceding year of not less than \$25 million, commencing with the fiscal year ending June 30, 1960, and continuing such progression in each of the succeeding fiscal years, through the fiscal year ending June 30, 1969.

In accordance with this expression of the House, and also in accordance with action on authorizations taken in the Federal-Aid Highway Act of 1956, my bill provides that the Federal aid for these systems be increased from the present level of \$875 million to \$900 million in 1960; and a further similar acceleration in 1961, increasing the total authorization to \$925 million for that fiscal year.

This is a mild upward adjustment in the exact amount suggested by the House in the Highway Act of 1956. I trust it will encounter no serious objections.

The entire purpose of the bill itself is to continue the equal matching of Federal and State funds to produce improved rural roads and city streets which are part of the designated Federal-aid systems. Most all of the work is done under the competitive contract method and a very high proportion of the funds expended, often over 90 percent, goes into actual construction, exclusive of advance engineering and right-of-way.

I need not emphasize, Mr. Speaker, the importance of modern-designed roads and streets to human safety. I would like, however, to underscore the essentiality of primary, secondary, and urban highways as feeders to the national defense expressways which we are now building across the country. Those mighty arteries will lose much of their utility and strategic value if they are not interconnected with a web of adequate primary and secondary roads. Economically, the construction provided by the so-called ABC roads is the soundest that can be found in the field of public works. The projects are scattered through practically every city, county, and village in the United States. Nearly \$1,800 million in Federal and State money is invested each year and it goes



into the right places for maximum contribution to the Nation's economy.

Mr. Speaker, I hope that this bill will move quickly through committee channels and have the early consideration of the House.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. FALLON. I am glad to yield to the distinguished majority leader.

Mr. McCORMACK. I have listened with great interest to the remarks of the gentleman from Maryland, whom I consider to be an outstanding authority in the Congress on the subject he has discussed, not confining him to that subject, but particularly on the subject he has discussed. I am sure the gentleman is aware of the method of allocation of mileage under the existing highway system.

In the last allocation of twenty-one-hundred-and-some-odd miles all New England got was 10 miles. Other States got very few miles. Does the gentleman's committee intend to look into that?

Mr. FALLON. I may say to our distinguished leader, the gentleman from Massachusetts, that a report has come to my desk today from the Secretary of Commerce explaining just how the mileage was allocated. I took a very hurried glance at it in order to get an idea of what it was. I am not sure that I understand the report, but it is the plan of our committee to invite the Secretary of Commerce to come before us in the very near future and ask him to go further into a detailed explanation of just what he means in the statement sent us today.

Mr. McCORMACK. I too received a letter from the Secretary of Commerce. I must say it was most difficult for me to understand his letter to me.

May I ask our friend if he will permit representatives of the several States of the Union who desire to do so to appear before his committee and testify?

Mr. FALLON. As always, I may say to the gentleman from Massachusetts, we would be very happy to.

Mr. McCORMACK. And that also includes Members of Congress.

Mr. FALLON. And the Members of Congress.

Mr. McCORMACK. I want to notify my friend that I will be glad to be there, because I am wholly dissatisfied with the allocation that was made.

I think a number of States have been discriminated against. This opens up the whole question of whether or not we should continue the present allocation under law or whether another one should be put in operation. I am satisfied now, however, with the statement of my good friend from Maryland. My primary purpose, however, was to compliment him for the bill he has introduced and for the remarks he has made.

Mr. FALLON. I thank the gentleman. Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

The SPEAKER. The time of the gentleman from Maryland has expired.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that his time may be extended 1 minute to answer a question.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. I thank the gentleman for his fine statement and also join my colleague the gentleman from Massachusetts [Mr. McCORMACK] in requesting more mileage for Massachusetts. I know the gentleman from Massachusetts and the other Members of the House from Massachusetts are anxious to have more miles allocated to our great Commonwealth.

In connection with this great highway program it is startling to realize that we do not have even a cold war against death and injury on the highways today. I suggest that Members lay the groundwork for a hot war against unnecessary death on the highway. Just look at the figures. They are startling. We fight against having war between nations, but we are not fighting against one of the greatest killers in our own country today: accidents on our highways. I know the gentleman is interested in that.

Mr. FALLON. I agree with the distinguished lady from Massachusetts.

Mrs. ROGERS of Massachusetts. Our country's most precious possession is its youth, yet that segment of our country's wealth, our youth, is the place where the greatest toll is taken by accidents of this character. We must make a real effort to check these shocking deaths on our highways.

#### THE RUSSIANS HAVE IT—WE HAVE NOT

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 5 minutes.

[Mr. HOFFMAN addressed the House. His remarks will appear hereafter in the Appendix.]

#### LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to Mr. DIES (at the request of Mr. Dowdy) indefinitely on account of illness.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FOGARTY, for 20 minutes today.

Mr. FALLON, for 5 minutes today.

Mr. HOFFMAN, for 5 minutes today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted to:

Mr. TELLER (at the request of Mr. MULTER) and include extraneous matter.

Mr. ANFUSO (at the request of Mr. MULTER) in three instances and include extraneous matter.

Mr. MULTER in five instances, in each to include extraneous matter.

Mr. THOMPSON of New Jersey in five instances, in each to include extraneous matter.

Mr. O'HARA of Illinois in two instances, in each to include related matter.

Mr. SELDEN and include a magazine article notwithstanding it exceeds the limit and is estimated by the Public Printer to cost \$182.80.

Mr. HEMPHILL in three instances, in each to include extraneous matter.

Mr. YATES (at the request of Mr. REUSS) and to include an editorial.

Mr. BROOKS of Texas (at the request of Mr. REUSS).

Mr. REUSS in five instances and to include extraneous matter.

Mr. KEOGH (at the request of Mr. CELLER) in five instances.

Mr. CELLER in five instances and to include extraneous matter.

Mr. MCGOVERN and to include an editorial.

Mr. BOYLE in five instances.

Mr. BREEDING in two instances and to include extraneous matter.

Mr. MADDEN and to include a resolution.

Mr. VINSON in reference to a statement made on January 5 relating to the Joint Chiefs of Staff system.

Mr. GATHINGS.

Mr. KILDAY and to include an address.

Mr. WINSTEAD in two instances and to include extraneous matter.

Mr. RHODES of Pennsylvania in five instances and to include extraneous matter.

Mr. WALTER and to include an editorial from the Saturday Evening Post.

Mr. HALEY in two instances.

Mr. NATCHER in three instances and to include editorials.

Mr. LANE on ex-Representative George D. O'Brien.

Mr. LANE in five instances and to include extraneous matter.

Mr. SAYLOR in three instances and to include extraneous matter.

Mr. BEAMER in seven instances and to include editorials.

Mr. YOUNGER in two instances and to include extraneous matter.

Mr. REED in five instances and to include extraneous matter.

Mr. JENSEN in two instances and to include extraneous matter.

Mrs. ST. GEORGE and to include a letter.

Mrs. GREEN of Oregon in five instances and to include extraneous matter.

Mr. HADE in two instances and to include extraneous matter.

Mr. BECKER in five instances and to include extraneous matter.

Mr. WIDNALL and to include extraneous matter.

Mr. WILSON of California (at the request of Mr. ARENDS) and to include a speech by Admiral Burke.

Mr. HILLINGS (at the request of Mr. ARENDS) in five instances and to include extraneous matter.

Mr. SCHERER in two instances and to include extraneous matter.

Mr. SMITH of Wisconsin in three instances and to include extraneous matter.

Mr. AUCHINCLOSS.

Mr. RAY in three instances and to include extraneous matter.



Mr. BENTLEY in three instances and to include extraneous matter.

Mr. RHODES of Arizona in three instances and to include extraneous matter.

Mr. KEATING in five instances.

Mr. SPRINGER and to include two editorials.

Mr. MACK of Washington in five instances and to include extraneous matter.

Mr. BERRY in four instances and to include extraneous matter.

Mr. PATTERSON in five instances and to include extraneous matter.

Mr. NEAL in two instances and to include extraneous matter.

Mr. DIXON in two instances and to include extraneous matter.

Mr. MUMMA and to include extraneous matter.

Mr. CHAMBERLAIN and to include extraneous matter.

Mr. SMITH of Kansas and to include an editorial.

Mr. COLLIER and to include extraneous matter.

Mr. H. CARL ANDERSEN in two instances and to include extraneous matter.

Mr. REES of Kansas in two instances and to include extraneous matter.

Mr. VAN ZANDT.

Mr. DOYLE in four instances and to include extraneous matter.

Mr. BAILEY and to include a summarization of certain economic problems.

Mr. JOHNSON in four instances and to include extraneous matter.

Mr. HAGEN in four instances and to include extraneous matter.

Mr. BOLAND at that point in the RECORD immediately following remarks made by Mr. FOGARTY.

Mr. SMITH of Mississippi in five instances and to include extraneous matter.

Mr. ASPINALL in four instances and in each to include extraneous matter.

Mr. LOSER in four instances and in each to include extraneous matter.

Mr. GRAY in two instances and to include extraneous matter.

Mr. DEROUNIAN and to include an editorial.

Mr. WIGGLESWORTH in three instances and to include extraneous matter.

Mr. HOFFMAN to revise and extend his remarks.

Mr. HAYS of Ohio in two instances and to include a newspaper article.

Mr. THORNBERRY (at the request of Mr. McCORMACK) in five instances and to include extraneous matter.

Mr. DINGELL (at the request of Mr. McCORMACK) in four instances and in two instances to include extraneous matter.

Mr. TEAGUE of Texas (at the request of Mr. McCORMACK) in five instances and to include extraneous matter.

Mr. THOMPSON of Louisiana (at the request of Mr. McCORMACK) and to include extraneous matter.

Mr. TUCK (at the request of Mr. McCORMACK) in two instances and to include extraneous matter.

Mr. McCORMACK in three instances and to include extraneous matter.

Mr. WILSON of California immediately following the eulogies on the late AUGUSTINE KELLEY.

Mr. ABERNETHY in two instances.

## ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, as a further mark of respect to the memory of our departed colleague, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 26 minutes p. m.), the House adjourned until tomorrow, Thursday, January 9, 1958.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

[Omitted from the Record of January 7, 1958]

1332. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriation to the National Advisory Committee for Aeronautics for "Salaries and expenses" for the fiscal year 1953, has been reapportioned on a basis which indicates the necessity for a supplemental or deficiency appropriation, pursuant to section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

[Submitted January 8, 1958.]

1418. A letter from the Administrator, Federal Civil Defense Administration, transmitting the 27th report on property acquisitions for the quarter ending September 30, 1957, pursuant to the Federal Civil Defense Act of 1950; to the Committee on Armed Services.

1419. A letter from the Acting Secretary of the Treasury, transmitting a report on the number of officers in the Coast Guard above the rank of lieutenant commander who are authorized to receive flight pay; to the Committee on Armed Services.

1420. A letter from the Acting Secretary of Agriculture, transmitting the annual report pertaining to the Puerto Rican hurricane relief loans, pursuant to Public Law 692, 84th Congress; to the Committee on Agriculture.

1421. A letter from the Archivist of the United States, transmitting a report on lists or schedules covering records proposed for disposal by certain Government agencies, pursuant to the act approved July 6, 1945 (59 Stat. 434); to the Committee on House Administration.

1422. A letter from the Acting Postmaster General, transmitting a draft of proposed legislation entitled "A bill to amend that part of the act of June 9, 1896 (29 Stat. 313), relating to the establishment of postal stations and branch post offices, so as to permit them to be established within 10 miles of the boundary of the adjoining city"; to the Committee on Post Office and Civil Service.

1423. A letter from the Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to authorize the Secretary of the Air Force to establish and develop certain installations for the national security, and for other purposes"; to the Committee on Armed Services.

1424. A letter from the Chairman, Federal Maritime Board and Maritime Administration, transmitting the annual report of the Federal Maritime Board and Maritime Administration for the fiscal year 1957; to the Committee on Merchant Marine and Fisheries.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H. R. 9812. A bill to amend the Soil Bank Act to discontinue the acreage reserve program; to the Committee on Agriculture.

By Mr. BAILEY:

H. R. 9813. A bill to impose a duty on the importation of residual fuel oil; to the Committee on Ways and Means.

By Mr. BREEDING:

H. R. 9814. A bill to amend the Agricultural Act of 1938 to allow acreage planted to the 1958 crop of winter wheat in excess of wheat acreage allotments to be considered in establishing such allotments for the future; to the Committee on Agriculture.

By Mr. BYRD:

H. R. 9815. A bill to impose a duty on the importation of residual fuel oil; to the Committee on Ways and Means.

H. R. 9816. A bill to amend the Tariff Act of 1930 to transfer natural gas from the free list to the dutiable list; to the Committee on Ways and Means.

By Mr. CELLER:

H. R. 9817. A bill relating to venue in tax refund suits by corporations; to the Committee on the Judiciary.

H. R. 9818. A bill to provide for the procurement of judge advocates and law specialist officers for the Army, Navy, Air Force, and Coast Guard, and for other purposes; to the Committee on Armed Services.

By Mr. CHENOWETH:

H. R. 9819. A bill to amend the Agricultural Adjustment Act of 1938 to allow acreage planted to the 1958 crop of winter wheat in excess of wheat acreage allotments to be considered in establishing such allotments for the future; to the Committee on Agriculture.

By Mr. DELANEY:

H. R. 9820. A bill to prohibit the introduction, or manufacture for introduction, into interstate commerce of switchblade knives, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FALLON:

H. R. 9821. A bill to amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways; to the Committee on Public Works.

By Mr. FOGARTY:

H. R. 9822. A bill to provide for holding a White House Conference on Aging to be called by the President of the United States before December 31, 1958, to be planned and conducted by the Special Staff on Aging of the United States Department of Health, Education, and Welfare with the assistance and cooperation of other agencies of that Department and of other Departments and Agencies represented on the Federal Council on Aging; to assist the several States in conducting similar conferences on aging prior to the White House Conference on Aging; and for related purposes; to the Committee on Education and Labor.

By Mr. HALE:

H. R. 9823. A bill to amend the War Orphan's Educational Assistance Act of 1956 to provide educational benefits thereunder to the children of members of the United States Navy who were killed while on convoy duty in 1941; to the Committee on Veterans' Affairs.

By Mr. HALEY (by request):

H. R. 9824. A bill to authorize the preparation of a roll of members of the Quapaw Tribe and to provide for per capita distribution of funds arising from a certain judgment in favor of such tribe; to the Committee on Interior and Insular Affairs.

By Mr. HAYS of Arkansas:

H. R. 9825. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on House Administration.

By Mr. HEMPHILL:

H. R. 9826. A bill to amend section 27 of the Merchant Marine Act of 1920; to the









# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued February 26, 1958  
For actions of February 25, 1958  
85th-2d, No. 29

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HIGHLIGHTS: House debated second supplemental appropriation bill. House committee reported bill to permit soil bank payments to certain producers who exceed corn allotments. House Rules Committee cleared bills to prohibit trading in onion futures, and to develop marketing facilities for perishable commodities. House committee reported bill for Outdoor Recreation Resources Commission. House committee approved pay bills. Sen. Javits urged deferring cut in dairy price supports. Sen. Humphrey claims mismanagement in ASC Committee elections in Minn. Sen. Bricker and Rep. Henderson introduced and discussed bills to exempt certain wheat producers from liability when wheat is fed or used for seed. Rep. Hill introduced and discussed bill to facilitate insurance of farm ownership and soil and water conservation loans.

HOUSE

1. SECOND SUPPLEMENTAL APPROPRIATION BILL. Began debate on this bill, H. R. 10881. pp. 2381-2409

Agreed to the following amendments:

By Rep. Whitten, by a vote of 120 to 57, to provide \$250 million additional instead of \$175 million, for the acreage reserve program for 1958 crops. pp. 2398-2405

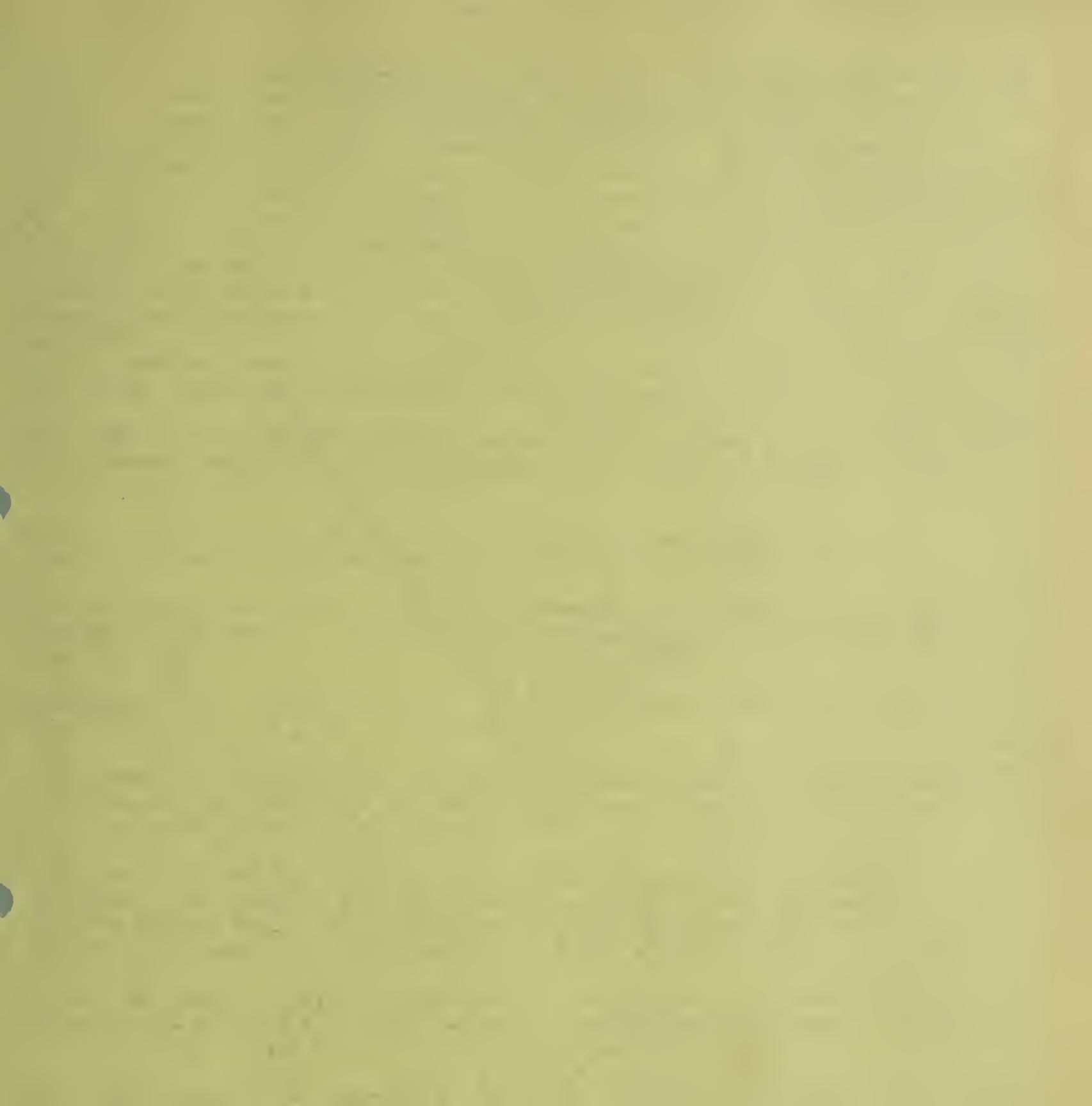
By Rep. Laird, as amended by an amendment by Rep. Taber, by a vote of 137 to 17, to provide that no part of the appropriation shall be used to authorize compensation to any one individual or corporate participant in excess of \$3,000. pp. 2405-09

Rejected an amendment by Rep. Reuss (as a substitute for the above amendment by Rep. Laird) to provide that no part of the appropriations shall be used to formulate, administer, or implement an acreage-reserve program which would result in total compensation being paid to any one participant in excess of \$3,000. pp. 2407-09 A point of order by Rep. Taber, which would have stricken out the provision for additional funds for the acreage reserve program for 1958 crops, was overruled. pp. 2397-98

2. ONIONS FUTURES; MARKETING FACILITIES. The Rules Committee reported resolutions for the consideration of H. R. 376, to prohibit trading in onion futures in commodity exchanges; and H. R. 4504, to encourage the improvement and development of marketing facilities for handling perishable commodities pp. 2410, 2429
3. CORN. The Agriculture Committee reported without amendment H. R. 10843, to permit soil bank payments to certain producers who exceed their corn acreage allotments (H. Rept. 1382), and H. R. 10316, to exclude Ottawa County, Mich., from the commercial corn-producing area (H. Rept. 1383). p. 2429
4. FOREST RECREATION. The Interior and Insular Affairs Committee reported with amendment S. 846, to establish a National Outdoor Recreation Resources Review Commission to study outdoor recreation resources of public lands (H. Rept. 1386). p. 2429
5. ROADS. The Public Works Committee approved with amendment H. R. 9821, to authorize appropriations for the construction of highways under the Federal Aid Road Act for 1960 and 1961. p. D140
6. PAY RAISES. The Post Office and Civil Service Committee approved with amendment H. R. 9999, to provide pay increases for classified employees. p. D140  
The "Daily Digest" states the Committee action as follows:

"Approved legislation increasing salaries of postal employees, Federal employees paid under the schedules of the Classification Act of 1949, certain employees of the judicial branch, employees of the legislative branch, and employees of the Medical Division of the Veterans' Administration...

"In general, H. R. 9999, concerning salary increases for employees paid under the Classification Act of 1949 and other groups of employees, provides for increases ranging from 10.5 percent (first step GS-4) to 12.5 percent in GS-18, with a \$18,000 ceiling. The increases would be effective August 25, 1957...







March 6, 1958

public works and defense projects. pp. 3072-5, 3129-56, 3160, 3161-4. Sen. Mansfield urged extension of the Wool Act and wheat price supports at no less than \$2 a bushel to aid ranchers (p. 3075). Sen. Murray inserted a letter from Pres. Patton of the Farmers' Union urging that his recommendations, including "immediate reversal of the Benson-Eisenhower farm policies" be carried out, and charged that "The deliberately planned deflation of agriculture has become an unplanned deflation of the whole economy." (pp. 3130-1). Sen. Humphrey stated that farm operators' net income was falling and criticized the Secretary for proposing to reduce price supports (p. 3147). Sen. Humphrey criticized reduction in the 1959 budget for agriculture price supports, soil and water conservation, rural electrification, and FHA loans (p. 3149).

Sen. Humphrey inserted a resolution of a Minn. Farmers' Union local urging Congress to restore farm prices to a "full parity level." p. 3076

6. PURCHASING. At the request of Sen. Talmadge, <sup>passed over,</sup> S. 5, to prevent the allocation of Government contracts to areas designated labor-surplus or depressed areas. p. 3118
- MONOPOLY. Received from the Judiciary Committee a report, "Activities of the Subcommittee on Antitrust and Monopoly--1957" (S. Rept. 1345). p. 3077
8. WATER RESOURCES. Concurred in the House amendments to S. 1086, granting the consent of Congress to a Bear River compact between Idaho, Utah, and Wyoming. This bill will now be sent to the President. pp. 3091-2
9. FAIR TRADE. Sen. Humphrey urged a study of the fair-trade laws, which he asserted were being set aside in many areas. p. 3100
10. PUBLIC WORKS. Sens. Murray, Potter, Yarborough, Long, Malone, and Thye commended Sen. Ellender for his speech in rebuttal to a Saturday Evening Post article on public works programs. pp. 3112-13, 3156
11. ELECTRIFICATION; RECLAMATION. Sen. Morse inserted a speech by the President of the Nat'l Hells Canyon Ass'n urging that the Federal Government acquire Brownlee dam and build a high dam in Hells Canyon and contending that this would be profitable for both the Government and the Idaho Power Co. pp. 3156-7
12. INFORMATION. Received from the U. S. Advisory Commission on Information an annual report for 1957 (p. 3075), which was commended by Sens. Mundt, Humphrey, and Smith of N. J., and inserted in the record (pp. 3092-9).
13. LEGISLATIVE PROGRAM. Sen. Johnson announced the intention to consider the second supplemental appropriation bill Mon., March 10, followed by consideration of the housing bill. He hoped the Public Works committee would report a road bill by March 15, followed by a public works measure.
14. ADJOURNED until Mon., March 10. p. 3164

HOUSE

15. BUDGETING. Passed with amendment, by a vote of 311 to 87, H. R. 8002, to provide for budgeting on an accrued expenditure basis. pp. 3173-86, 3188  
Agreed to a substitute amendment by Rep. Wigglesworth, as an amendment to a substitute amendment which had been offered by Rep. Taber, by a vote of 152 to 113. The Taber amendment as amended by the substitute language of the

Wigglesworth amendment was then agreed to by vote of 152 to 103. The Taber amendment would have retained the present obligational system of budgeting with certain modifications. Rep. Wigglesworth stated that his substitute amendment, which became the language of the bill as passed, was designed to do three things as follows:

"In the first place it eliminates completely from the picture the proposal in H. R. 8002, that as far as obligations are concerned, we go back to the practice of contract authority which we abandoned some years ago as unsatisfactory.

"In the second place, it accepts the balance of the proposal putting the Congress in a position, if it so desires, to place an annual limitation on expenditures in terms of accrued expenditure.

"In the third place, it incorporates language to carry into effect the proposal just made by the distinguished gentleman from New York (Mr. Taber), which in effect waives points of order against rescissions, transfers, or reappropriations."

A motion by Rep. Smith, Va., to strike out the enacting clause, was rejected by a vote of 93 to 145. pp. 3182-83

A motion by Rep. Ford to recommit the bill to the Government Operations Committee was rejected by a vote of 119 to 275. p. 3185

16. DAIRY PRICE SUPPORTS. The "Daily Digest" states that the Dairy Products Subcommittee of the Agriculture Committee ordered reported the following bills: "H. R. 11176 (amended) and H. R. 11178, to amend the Agricultural Act of 1949 and of 1954, respectively, with respect to price supports for milk and special dairy programs; and H. R. 9650, to provide minimum price support levels for whole milk and butterfat during the 2-year period beginning April 1, 1958." p. D185

17. ROADS. The Public Works Committee reported with amendment H. R. 9821, to authorize appropriations for the continuing construction of highways, including forest highways, roads and trails (H. Rept. 1480). p. 3212

18. INFORMATION. The Government Operations Committee reported without amendment H. R. 2767, to restrict the authority of Federal officers and agencies to withhold information and limit the availability of records (H. Rept. 1461). p. 3212

19. COMMITTEE ASSIGNMENTS. Rep. Quie was elected a member of the Agriculture Committee. p. 3171

20. FOOD ADDITIVES. Rep. Sullivan urged additional funds for the Food and Drug Administration for expanded work on the use of chemical additives in food, and inserted several articles on the matter. pp. 3190-96

21. FOREIGN TRADE. Rep. Collier spoke in opposition to extending the reciprocal trade program. pp. 3201-02

22. EGGS. Rep. Knutson urged the Congress to place a "floor" and a "ceiling" on the price of eggs. p. 3211



AMENDING AND SUPPLEMENTING THE FEDERAL-AID ROAD ACT  
APPROVED JULY 11, 1916, TO AUTHORIZE APPROPRIATIONS FOR  
CONTINUING THE CONSTRUCTION OF HIGHWAYS

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MARCH 6, 1958.—Committed to the Committee of the Whole House on the  
State of the Union and ordered to be printed

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Mr. FALLON, from the Committee on Public Works submitted the  
following

## REPORT

[To accompany H. R. 9821]

The Committee on Public Works, to whom was referred the bill (H. R. 9821) to amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways, having considered the same, report favorably thereon with amendment and recommend that the bill do pass.

The amendment is as follows:

Page 4, line 15, strike "\$27,000,000" and insert in lieu thereof "\$28,500,000".

All of the Federal-aid highway funds authorized to be appropriated for the fiscal year 1959 for the Federal-aid primary highway system, the Federal-aid secondary highway system and extensions thereof in urban areas under the Federal-Aid Highway Act of 1956 (70 Stat. 374), have been apportioned to the States. Additional authorizations for these systems should be provided at this time in order that the States may have opportunity to program their financing arrangements to match Federal-aid funds. It is considered necessary, therefore, that the present session of Congress enact legislation to provide Federal-aid authorizations for these highway systems for the fiscal years 1960 and 1961. The committee also feels it essential that funds be authorized to be appropriated for Federal domain roads for fiscal years 1960 and 1961. Enactment of this legislation would provide for orderly continuation of the program of highway construction for an additional 2-year period. The continuation of this program is vital to the Nation's economy.

In its consideration of H. R. 9821, the committee has heard the testimony of Mr. Louis S. Rothschild, Under Secretary of Commerce for Transportation, and Mr. B. D. Tallamy, Federal Highway Administrator, as well as other officials of the Bureau of Public Roads and officials of the Department of Agriculture, including Mr. Edward Cliff, Assistant Chief, Forest Service. The committee has also had the benefit of the testimony of representatives of the American Association of State Highway Officials, the American Road Builders Association, and the American Municipal Association.

This bill is confined to authorizations for the Federal-aid primary and secondary systems and extensions thereof in urban areas, together with Federal domain roads, and does not concern the interstate program which will be taken up by the committee separately in connection with its consideration of the cost estimates as provided in section 108 (d) of the Federal-aid Highway Act of 1956.

#### FEDERAL-AID HIGHWAYS

Section 1 of H. R. 9821 would authorize the appropriation of \$900 million for the fiscal year 1960 and \$925 million for the fiscal year 1961 for the Federal-aid primary and secondary highway systems and extensions thereof in urban areas in the usual 45-30-25 ratio. The following sums would be available for each of the systems:

##### *Federal-aid systems*

System	1960	1961
Primary (45 percent)-----	\$405,000,000	\$416,250,000
Secondary (30 percent)-----	270,000,000	277,500,000
Urban (25 percent)-----	225,000,000	231,250,000
Total-----	900,000,000	925,000,000

These funds would be apportioned among the States in the manner now provided by law and would be available for expenditure in the same manner as funds for these highways were made available under the Federal-Aid Highway Act of 1956: that is, for 2 years after the close of the fiscal year for which such funds are authorized. Any apportioned amounts unexpended at the end of such period would lapse. Section 1 (b) of the bill also contains provisions concerning the administration of the Federal-aid secondary highway system which are the same as provisions for this purpose contained in the Federal-Aid Highway Act of 1956. Section 1 (b) will enable the Secretary of Commerce to continue to administer the secondary highway program in the simplified and efficient manner initiated by the Federal-Aid Highway Act of 1954.

The Department of Commerce has recommended that the total Federal-aid primary, secondary, and urban authorizations be made at the level of \$900 million for each of the fiscal years 1960 and 1961. However, it was the expression of this committee during its deliberations in connection with the Federal-Aid Highway Act of 1956 that such total authorizations be increased by \$25 million each year in view of the backlog of needed improvements.

This is in accordance with the statement of congressional intent contained in the Federal-Aid Highway Act of 1956 that progressive



increases for the three categories of not less than \$25 million per year shall continue through the fiscal year ending June 30, 1969, and that the relative ratio between the three categories shall continue during that period of time.

After careful consideration, the committee confirms and adheres to its previous expression and the bill accordingly increases such total authorizations from \$900 million in 1960 to \$925 million in 1961. Comparative total authorizations of funds for these systems for fiscal years 1958 and 1959 were \$850 million and \$875 million, respectively (sec. 102 (a) (1), Federal-Aid Highway Act of 1956). The committee offers no other changes in this basic authorization language for the reason that it has worked so well in past years. The testimony given before the committee has indicated a general accord with the existing Federal-aid procedures and has also reflected the urgent need to continue and accelerate the work of construction and improvement on these extremely important highway systems.

#### FOREST HIGHWAYS AND FOREST DEVELOPMENT ROADS AND TRAILS

Section 2 of the bill would authorize appropriations for forest highways and forest development roads and trails in the amounts of \$30 million and \$28,500,000, respectively, for each of the fiscal years 1960 and 1961. The committee amended the bill to increase the funds authorized to be appropriated for forest development roads and trails from \$27 million to \$28,500,000.

The Federal Highway Act defines forest development roads and trails as being of primary importance for the protection, administration, and development of the national forests and the use and development of resources upon which communities within or adjacent to the national forests are dependent. All forest roads wholly or partly within or adjacent to and serving the national forests and which are not included in the forest highway system are placed in the forest development system.

Trails supplement the road network and extend access into areas where roads are impracticable, uneconomical, or prohibited by administrative policy. Trails are of great importance for fire protection, administration of livestock grazing, and public enjoyment of recreation and wildlife resources.

Federal funds have been made available under the authorizations for forest development roads and trails in the Federal-Aid Highway Acts and the authority to use 10 percent of the receipts from the national forests for roads and trails is provided in the act of March 4, 1913. Both funds are appropriated to the Department of Agriculture and administered by the Forest Service. They are programmed for work on the forest development system according to the relative needs of the various national forests.

Section 2 continues the provision of the 1956 act that funds available for forest highways and forest development roads and trails would also be available for adjacent vehicular parking areas and for sanitary, water, and fire-control facilities. Funds for forest highways would be apportioned by the Secretary of Commerce in accordance with the provisions of the existing law (sec. 3 of the Federal-Aid Highway Act of 1950).

The testimony of representatives of the Department of Commerce and the Department of Agriculture, respectively, has indicated the

necessity for the expenditure of at least the amounts which would be authorized under section 2 of H. R. 9821, as amended, to continue the forest highway and the forest development roads and trails programs. Such authorizations for forest development roads and trails are needed to protect the interests of the Federal Government in the national forest operations, the net profit on which, it is understood, is approximately \$20 million per year. The amounts for forest highways which would be authorized under this section of the bill are identical to those authorized for fiscal years 1958 and 1959 under the Federal-Aid Highway Act of 1956. The committee feels that the authorizations recommended are needed for the continuation of construction and improvement of the forest highways and forest development roads and trails at present levels.

#### ROADS AND TRAILS IN NATIONAL PARKS, PARKWAYS, AND INDIAN RESERVATION ROADS

Section 3 of H. R. 9821 contains provisions for roads and trails in national parks, monuments, and other areas administered by the National Park Service, parkways, and Indian reservation roads. The sums which will be authorized for these purposes would be \$16 million for roads and trails in national parks, \$16 million for parkways, and \$12 million for Indian reservation roads for each of the fiscal years 1960 and 1961. These amounts are the same as those authorized for fiscal years 1958 and 1959 for these classes of highways under the Federal-Aid Highway Act of 1956. The committee considers it appropriate and desirable to continue authorizations for these highways in said amounts for the fiscal years 1960 and 1961.

#### PUBLIC LANDS HIGHWAYS

Section 4 of the bill would authorize the appropriation of \$2 million for each of the fiscal years 1960 and 1961 for public lands highways. This amount is the same as that authorized for the fiscal years 1958 and 1959 under the 1956 act and is considered essential to meet the most important of the numerous requests for funds for improvement of this class of highways, the great majority of which are already on a Federal-Aid highway system.

#### SPECIAL PROVISIONS FOR FEDERAL DOMAIN ROADS

Section 5 contains special provisions for Federal-domain roads (forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public-lands highways) and would provide contract authority for funds authorized in the bill for these roads. Under this section, such funds would be available for contract upon apportionment or a date not earlier than 1 year preceding the beginning of the fiscal year for which authorized if no apportionment is required. The contract authority provided for by section 5 of the bill is similar to that contained in section 106 of the Federal-Aid Highway Act of 1956. The committee believes that it is appropriate to continue said contract authority for funds which would be authorized to be appropriated for fiscal years 1960 and 1961 for these Federal-domain highways.

The provisions contained in H. R. 9821 relating to authorizations for Federal-domain highways remain substantially the same as those contained in previous Federal-aid highway legislation. The committee has considered thoroughly the testimony of the officials of the Department of Commerce and the Department of Agriculture as well as that of officials of other organizations in connection with Federal-domain roads. After full deliberation, it is believed desirable that these authorization provisions remain in the form now contained in the bill.

RELATIONSHIP OF THIS ACT TO OTHER ACTS; EFFECTIVE DATE

*Short title*

Section 6 provides that existing provisions of Federal-aid highway legislation, not inconsistent with H. R. 9821, shall remain in full force and effect. This act, which under section 7 would be cited as the Federal Highway Act of 1958, would take effect on the date of its enactment.

The committee is of the view that the authorizations of funds for Federal-aid highways and Federal-domain roads contained in H. R. 9821, as reported, are not only necessary to maintain progress in the construction and improvement of these highways but are a conservative requirement in relation to the existing backlog of highway improvements needed to provide for an adequate highway transportation system.







Union Calendar No. 577

85TH CONGRESS  
2D SESSION

# H. R. 9821

[Report No. 1480]

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 1958

Mr. FALLON introduced the following bill; which was referred to the Committee on Public Works

MARCH 6, 1958

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

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## A BILL

To amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways.

1      *Be it enacted by the Senate and House of Representa-*  
2      *tives of the United States of America in Congress assembled,*

3                                      FEDERAL-AID HIGHWAYS

4      SECTION 1. (a) (1) AUTHORIZATION OF APPROPRIA-  
5      TIONS.—For the purpose of carrying out the provisions of  
6      the Federal-Aid Road Act approved July 11, 1916 (39  
7      Stat. 355), and all Acts amendatory thereof and supple-  
8      mentary thereto, there is hereby authorized to be appro-  
9      priated the sum of \$900,000,000 for the fiscal year ending  
10     June 30, 1960; and the sum of \$925,000,000 for the fiscal

1 year ending June 30, 1961. The sums herein authorized  
2 for each fiscal year shall be available for expenditure as  
3 follows:

4 (A) 45 per centum for projects on the Federal-aid  
5 primary highway system.

6 (B) 30 per centum for projects on the Federal-aid  
7 secondary highway system.

8 (C) 25 per centum for projects on extensions of these  
9 systems within urban areas.

10 (2) APPORTIONMENTS.—The sums authorized by this  
11 section shall be apportioned among the several States in the  
12 manner now provided by law and in accordance with the  
13 formulas set forth in section 4 of the Federal-Aid Highway  
14 Act of 1944, approved December 20, 1944 (58 Stat. 838).

15 (b) AVAILABILITY FOR EXPENDITURE.—Any sums  
16 apportioned to any State under this section shall be available  
17 for expenditure in that State for two years after the close of  
18 the fiscal year for which such sums are authorized, and any  
19 amounts so apportioned remaining unexpended at the end of  
20 such period shall lapse: *Provided*, That such funds shall be  
21 deemed to have been expended if a sum equal to the total  
22 of the sums herein and heretofore apportioned to the State  
23 is covered by formal agreements with the Secretary of Com-  
24 merce for construction, reconstruction, or improvement of  
25 specific projects as provided in this title and prior Acts:

1 *Provided further*, That in the case of those sums heretofore,  
2 herein, or hereafter apportioned to any State for projects  
3 on the Federal-aid secondary highway system, the Secretary  
4 of Commerce may, upon the request of any State, discharge  
5 his responsibility relative to the plans, specifications, esti-  
6 mates, surveys, contract awards, design, inspection, and con-  
7 struction of such secondary road projects by his receiving  
8 and approving a certified statement by the State highway  
9 department setting forth that the plans, design, and construc-  
10 tion for such projects are in accord with the standards and  
11 procedures of such State applicable to projects in this cate-  
12 gory approved by him: *Provided further*, That such ap-  
13 proval shall not be given unless such standards and proce-  
14 dures are in accordance with the objectives set forth in sec-  
15 tion 1 (b) of the Federal-Aid Highway Act of 1950:  
16 *And provided further*, That nothing contained in the fore-  
17 going provisos shall be construed to relieve any State of its  
18 obligation now provided by law relative to maintenance,  
19 nor to relieve the Secretary of Commerce of his obligation  
20 with respect to the selection of the secondary system or the  
21 location of projects thereon, to make a final inspection after  
22 construction of each project, and to require an adequate  
23 showing of the estimated and actual cost of construction of  
24 each project. Any Federal-aid primary, secondary, or urban  
25 funds released by the payment of the final voucher or by



1 modification of the formal project agreement shall be credited  
2 to the same class of funds, primary, secondary, or urban,  
3 previously apportioned to the State and be immediately  
4 available for expenditure.

5 FOREST HIGHWAYS AND FOREST DEVELOPMENT ROADS

6 AND TRAILS

7 SEC. 2. (a) AUTHORIZATION OF APPROPRIATIONS.—

8 For the purpose of carrying out the provisions of section 23  
9 of the Federal Highway Act of 1921 (42 Stat. 218), as  
10 amended and supplemented, there is hereby authorized to  
11 be appropriated (1) for forest highways the sum of \$30,-  
12 000,000 for the fiscal year ending June 30, 1960, and a  
13 like sum for the fiscal year ending June 30, 1961; and  
14 (2) for forest development roads and trails the sum of  
15 ~~\$27,000,000~~ \$28,500,000 for the fiscal year ending June 30,  
16 1960, and a like sum for the fiscal year ending June 30, 1961:

17 *Provided*, That with respect to any proposed construction  
18 or reconstruction of a timber access road, advisory public  
19 hearings shall be held at a place convenient or adjacent to  
20 the area of construction or reconstruction with notice and  
21 reasonable opportunity for interested persons to present their  
22 views as to the practicability and feasibility of such con-  
23 struction or reconstruction: *Provided further*, That hereafter  
24 funds available for forest highways and forest development



1 roads and trails shall also be available for adjacent vehicular  
2 parking areas and for sanitary, water, and fire control  
3 facilities: *And provided further*, That the appropriation  
4 herein authorized for forest highways shall be apportioned  
5 by the Secretary of Commerce for expenditure in the several  
6 States, Alaska, and Puerto Rico in accordance with the  
7 provisions of section 3 of the Federal-Aid Highway Act  
8 of 1950.

9 ROADS AND TRAILS IN NATIONAL PARKS, AND SO FORTH

10 SEC. 3. (a) NATIONAL PARKS, AND SO FORTH.—For  
11 the construction, reconstruction, and improvement of roads  
12 and trails, inclusive of necessary bridges, in national parks,  
13 monuments, and other areas administered by the National  
14 Park Service, including areas authorized to be established as  
15 national parks and monuments, and national park and monu-  
16 ment approach roads authorized by the Act of January 31,  
17 1931 (46 Stat. 1053), as amended, there is hereby author-  
18 ized to be appropriated the sum of \$16,000,000 for the fiscal  
19 year ending June 30, 1960, and a like sum for the fiscal  
20 year ending June 30, 1961.

21 (b) PARKWAYS.—For the construction, reconstruction,  
22 and improvement of parkways, authorized by Acts of Con-  
23 gress, on lands to which title is vested in the United States,

1 there is hereby authorized to be appropriated the sum of  
2 \$16,000,000 for the fiscal year ending June 30, 1960, and  
3 a like sum for the fiscal year ending June 30, 1961.

4 (c) INDIAN RESERVATIONS AND LANDS.—For the con-  
5 struction, improvement, and maintenance of Indian reserva-  
6 tion roads and bridges and roads and bridges to provide access  
7 to Indian reservations and Indian lands under the provisions  
8 of the Act approved May 26, 1928 (45 Stat. 750), there  
9 is hereby authorized to be appropriated the sum of \$12,-  
10 000,000 for the fiscal year ending June 30, 1960, and a  
11 like sum for the fiscal year ending June 30, 1961: *Provided*,  
12 That the location, type and design of all roads and bridges  
13 constructed shall be approved by the Secretary of Commerce  
14 before any expenditures are made thereon, and all such con-  
15 struction shall be under the general supervision of the Secre-  
16 tary of Commerce.

17 PUBLIC LANDS HIGHWAYS

18 SEC. 4. For the purpose of carrying out the provisions  
19 of section 10 of the Federal-Aid Highway Act of 1950  
20 (64 Stat. 785), there is hereby authorized to be appro-  
21 priated for the survey, construction, reconstruction, and  
22 maintenance of main roads through unappropriated or unre-  
23 served public lands, nontaxable Indian lands, or other Fed-  
24 eral reservations the sum of \$2,000,000 for the fiscal year

1 ending June 30, 1960, and a like sum for the fiscal year  
2 ending June 30, 1961.

3 SPECIAL PROVISIONS FOR FEDERAL DOMAIN ROADS, AND  
4 SO FORTH

5 SEC. 5. Any funds authorized herein for forest high-  
6 ways, forest development roads and trails, park roads and  
7 trails, parkways, Indian roads, and public lands highways  
8 shall be available for contract upon apportionment, or a date  
9 not earlier than one year preceding the beginning of the  
10 fiscal year for which authorized if no apportionment is re-  
11 quired: *Provided*, That any amount remaining unexpended  
12 two years after the close of the fiscal year for which author-  
13 ized shall lapse. The Secretary of the department charged  
14 with the administration of such funds is hereby granted au-  
15 thority to incur obligations, approve projects, and enter into  
16 contracts under such authorizations, and his action in doing  
17 so shall be deemed a contractual obligation of the Federal  
18 Government for the payment of the cost thereof, and such  
19 funds shall be deemed to have been expended when so obli-  
20 gated. Any funds heretofore, herein, or hereafter author-  
21 ized for any fiscal year for forest highways, forest develop-  
22 ment roads and trails, park roads and trails, parkways, Indian  
23 roads, and public lands highways shall be deemed to have  
24 been expended if a sum equal to the total of the sums author-

1 ized for such fiscal year and previous fiscal years since and  
2 including the fiscal year ending June 30, 1955, shall have  
3 been obligated. Any of such funds released by payment of  
4 final voucher or modification of project authorization shall  
5 be credited to the balance of unobligated authorizations and  
6 be immediately available for expenditure.

7 RELATIONSHIP OF THIS ACT TO OTHER ACTS; EFFECTIVE  
8 DATE

9 SEC. 6. All provisions of the Federal-Aid Road Act  
10 approved July 11, 1916, together with all Acts amendatory  
11 thereof or supplementary thereto, not inconsistent with this  
12 Act, shall remain in full force and effect and be applicable  
13 hereto. All Acts or parts of Acts in any way inconsistent  
14 with the provisions of this Act are hereby repealed. This  
15 Act shall take effect on the date of enactment.

16 SHORT TITLE

17 SEC. 7. This Act may be cited as the "Federal Highway  
18 Act of 1958".





85TH CONGRESS  
2D SESSION

**H. R. 9821**

[Report No. 1480]

# **A BILL**

To amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways.

By Mr. FALLON

JANUARY 8, 1958

Referred to the Committee on Public Works

MARCH 6, 1958

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

85TH CONGRESS  
2D SESSION

# S. 3414

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IN THE SENATE OF THE UNITED STATES

MARCH 6, 1958

Mr. GORE (for himself, Mr. CARROLL, Mr. MORSE, Mr. MANSFIELD, Mr. YARBOROUGH, Mr. PASTORE, Mr. PROXMIRE, Mr. HUMPHREY, Mr. NEUBERGER, Mr. MURRAY, Mr. KENNEDY, Mr. CHAVEZ, Mr. McNAMARA, Mr. MAGNUSON, Mr. JACKSON, Mr. CHURCH, and Mr. HENNINGS) introduced the following bill; which was read twice and referred to the Committee on Public Works

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## A BILL

To amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes.

1      *Be it enacted by the Senate and House of Representa-*  
2      *tives of the United States of America in Congress assembled,*

3      That—

4      (a) AUTHORIZATION OF APPROPRIATIONS FOR INTER-  
5      STATE SYSTEM.—Section 108 (b) of the Federal-Aid High-  
6      way Act of 1956 (70 Stat. 374) is hereby amended to  
7      read as follows:



1       “(b) AUTHORIZATION OF APPROPRIATIONS.—For the  
2 purpose of expediting the construction, reconstruction, or  
3 improvement, inclusive of necessary bridges and tunnels,  
4 of the Interstate System, including extensions thereof  
5 through urban areas, designated in accordance with the  
6 provisions of section 7 of the Federal-Aid Highway Act  
7 of 1944 (58 Stat. 838), there is hereby authorized to be  
8 appropriated the additional sum of \$1,000,000,000 for the  
9 fiscal year ending June 30, 1957, which sum shall be in addi-  
10 tion to the authorization heretofore made for that year, the  
11 additional sum of \$1,700,000,000 for the fiscal year ending  
12 June 30, 1958, the additional sum of \$2,500,000,000 for  
13 the fiscal year ending June 30, 1959, the additional sum  
14 of \$3,000,000,000 for the fiscal year ending June 30, 1960,  
15 the additional sum of \$3,100,000,000 for the fiscal year  
16 ending June 30, 1961, the additional sum of \$3,100,000,000  
17 for the fiscal year ending June 30, 1962, the additional  
18 sum of \$3,100,000,000 for the fiscal year ending June 30,  
19 1963, the additional sum of \$3,100,000,000 for the fiscal  
20 year ending June 30, 1964, the additional sum of \$3,100,-  
21 000,000 for the fiscal year ending June 30, 1965, the  
22 additional sum of \$3,100,000,000 for the fiscal year ending  
23 June 30, 1966, the additional sum of \$3,100,000,000 for  
24 the fiscal year ending June 30, 1967, the additional sum of  
25 \$3,100,000,000 for the fiscal year ending June 30, 1968,

1 and the additional sum of \$3,000,000,000 for the fiscal year  
2 ending June 30, 1969.”

3 (b) APPORTIONMENTS.—The additional sum herein  
4 authorized for the fiscal year ending June 30, 1959, shall  
5 be apportioned immediately upon enactment of this Act.

6 SEC. 2. Effective July 1, 1958, section 209 (f) (1)  
7 of the Federal-Aid Highway Act of 1956 (70 Stat. 374) is  
8 amended to read as follows:

9 “(1) INTERSTATE HIGHWAY PROGRAM.—Amounts in  
10 the Trust Fund shall be available, as provided by appropria-  
11 tion Acts, for making expenditures after June 30, 1958,  
12 and before July 1, 1972, to meet those obligations of the  
13 United States heretofore or hereafter incurred under the  
14 Federal-Aid Road Act approved July 11, 1916, as amended  
15 and supplemented, which are attributable to the National  
16 System of Interstate and Defense Highways (including  
17 those portions of general administrative expenses of the  
18 Bureau of Public Roads payable from such appropriations  
19 and attributable to said National System of Interstate and  
20 Defense Highways).”

21 SEC. 3. (a) (1) AUTHORIZATION OF APPROPRIATION  
22 FOR PRIMARY, SECONDARY AND URBAN SYSTEMS.—For  
23 the purpose of carrying out the provisions of the Federal-  
24 Aid Road Act approved July 11, 1916 (39 Stat. 355),  
25 and all Acts amendatory thereof and supplementary thereto,

1 there is hereby authorized to be appropriated for the fiscal  
2 year ending June 30, 1959, \$450,000,000 in addition to any  
3 sums heretofore authorized for such fiscal year. The sum  
4 herein authorized shall be available for expenditure as  
5 follows:

6 (A) 45 per centum for projects on the Federal-aid  
7 primary highway system.

8 (B) 30 per centum for projects on the Federal-aid  
9 secondary highway system.

10 (C) 25 per centum for projects on extensions of  
11 these systems within urban areas.

12 (2) APPORTIONMENT.—The sum authorized by this  
13 section shall be apportioned among the several States in  
14 the manner now provided by law and in accordance with the  
15 formulas set forth in section 4 of the Federal-Aid Highway  
16 Act of 1944, approved December 20, 1944 (58 Stat. 838) :  
17 *Provided*, That the additional amount herein authorized shall  
18 be apportioned immediately upon enactment of this Act.

19 (b) The provisions of section 102 (b) and (c) of  
20 the Federal-Aid Highway Act of 1956 (70 Stat. 374)  
21 shall apply to the funds authorized by this section.

22 SEC. 4. (a) AUTHORIZATION OF APPROPRIATIONS.—  
23 For the purpose of assisting the States in meeting the re-  
24 quirements for State funds for the Primary and Secondary



1 Federal-Aid Highway Systems, including extensions of these  
2 systems in urban areas, in carrying out the provisions of  
3 the Federal-Aid Road Act approved July 11, 1916 (39  
4 Stat. 355), and all Acts amendatory thereof and supple-  
5 mentary thereto, there is hereby authorized to be appropri-  
6 ated the sum of \$450,000,000.

7 (b) Said sum shall be apportioned to the several States  
8 by the Secretary of Commerce immediately upon the enact-  
9 ment of this Act in accordance with the formulas set forth  
10 in section 4 of the Federal-Aid Highway Act of 1944,  
11 approved December 20, 1944 (58 Stat. 838). The amounts  
12 so apportioned to the States under this section shall be avail-  
13 able to the States as a temporary advance and may be used  
14 to match the regular apportionments made for the fiscal year  
15 ending June 30, 1959, or for fiscal years prior thereto, to  
16 such State for expenditure on the Primary and Secondary  
17 Federal-Aid Systems, including extensions of these Systems  
18 in urban areas, and shall be available for expenditure in  
19 paying the share of such State in the cost of such Federal-  
20 Aid projects: *Provided*, That the amounts so advanced shall  
21 be reimbursed to the Federal Government over a period of  
22 ten years, commencing with the fiscal year ending June 30,  
23 1964, by making annual deductions from regular appor-  
24 tionments made pursuant to future authorizations for such

1 years for the construction of said Primary and Secondary  
2 Federal-Aid Systems, including extensions of such Systems  
3 in urban areas.

4 SEC. 5. All provisions of the Federal-Aid Road Act  
5 approved July 11, 1916, together with all Acts amendatory  
6 thereof or supplementary thereto, not inconsistent with this  
7 Act, shall remain in full force and effect and be applicable  
8 thereto.





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# A BILL

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To amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes.

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By Mr. GORE, Mr. CARROLL, Mr. MORSE, Mr. MANSFIELD, Mr. YARBOROUGH, Mr. PASTORE, Mr. PROXMIRE, Mr. HUMPHREY, Mr. NEUBERGER, Mr. MURRAY, Mr. KENNEDY, Mr. CHAVEZ, Mr. McNAMARA, Mr. MAGNUSON, Mr. JACKSON, Mr. CHURCH, and Mr. HENRINGS

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MARCH 6, 1958

Read twice and referred to the Committee on Public Works

South, and, equally as important, would serve to right the injustice of depriving the States of the cotton belt of the cotton acreage to which they are historically entitled.

I ask, Mr. President, that the bill be received, appropriately referred, and printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3408) to amend the Agricultural Adjustment Act of 1938, as amended, so as to provide that cotton acreage allotments for the States for 1958 and subsequent years shall be no less than 1956, and for other purposes, introduced by Mr. TALMADGE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

#### TRAINING OF TEACHERS FOR EDUCATION OF EXCEPTIONAL CHILDREN

Mr. NEUBERGER. Mr. President, one of the basic concepts of American education is equality of opportunity. Yet, in spite of the progress of American education, many of our students are never offered this opportunity. Not only has the retarded child often been neglected by our mass education system, but also, the child of high intellectual capacity. Mrs. Neuberger and I have supported legislation for assistance of mentally retarded children at both the Federal and State level. Mrs. Neuberger led the successful struggle in the Oregon State Legislature to create a pilot program for such children in our State. I worked for increased appropriations in this area in the 84th Congress, and this year I have introduced a bill which would provide for the expansion of teaching and research in the education of mentally retarded children.

The same convictions, Mr. President, which have led me to support programs for the mentally retarded, have also aroused my concern over the rights of the child of high intellectual capacity. He, too, has democratic rights.

One of the most critical questions before our country today is how we can increase the production of scientists, scholars, doctors, and other trained personnel. But in spite of this critical lack of fully developed intellectual capacity, we are asking students of exceptional ability to remain content with schooling which is suited for the average child, but is not adapted for the smaller percentage of children with high ability. The risks of subjecting these students to ordinary educational methods has been pointed out in a major research study by Lewis Terman and his associates at Stanford University. They studied 1,400 superior students in the public schools of California and followed their later development over a period of 25 years. They found that this group, on the average, made a remarkably good record of later academic and professional accomplishments. But they also found that many of this group failed to live up to their potentialities. One of the reasons for this Terman said was that "a considerable proportion of those in our gifted

group languished in idleness throughout the grades and high school and failed to develop the ambition or work habits necessary to make them successful in college." This failure is one which the United States cannot afford.

In my State of Oregon, two communities, Portland and Eugene, have made great strides in preventing this waste of intellectual resources. In Portland, the public school system is nearing the 50th year of a program for gifted students which has been developed in cooperation with Reed College. Under their program, gifted children are grouped together for mathematics, reading, and language, but combine with other children of the same age for physical education, art and music. Thus, the program is in keeping with the democratic traditions of our schools. Eugene is another Oregon community which can be proud of its efforts to explore the means for education for the gifted. Under the direction of Lloyd Gillette, the department of special education of the Eugene Public Schools has been conducting a class for gifted sixth graders which is now in its fourth year.

Yet, Mr. President, if we are to do justice to our able students at a time when their talents are so desperately needed by their country, we cannot rely on a few far-sighted communities to direct a national movement. In the closing days of the last session of Congress, the Honorable LEONOR K. SULLIVAN, Missouri, introduced a bill (H. R. 9591) which sought to have the Federal Government lead the way by providing scholarships to teachers and prospective teachers, to encourage them to go into this field where they are so urgently needed, by providing some assistance to colleges and universities pioneering in this work, and by encouraging States and communities to set up the specialized classes and programs which are necessary. We must have curriculum and instructors capable of inspiring students with unusual minds. Because I feel that Mrs. SULLIVAN's bill (H. R. 9591) would help meet this problem, I consider it a privilege to introduce in the Senate a companion bill to H. R. 9591, so that both Houses of Congress will have the opportunity, at the same time, to consider this proposal.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3410) to provide for the establishment of a special \$18,500,000 7-year program of Federal scholarship and fellowship grants to individuals, and a \$2,500,000 program of grants to public and nonprofit institutions of higher education, to encourage and expand the training of teachers for the education of exceptional children, introduced by Mr. NEUBERGER, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

#### INCREASED INCOME TAX EXEMPTIONS FOR 1958

Mr. YARBOROUGH. Mr. President, our country is now facing the most critical unemployment problem since World War II. Each new report brings more bad news of more Americans out of work. In my State, unemployment exceeds a

quarter of a million men and women. More than 100,000 people are receiving relief food supplies. This is a situation that is duplicated in many other States.

Our economists tell us that one of the quickest and most effective moves we could make to end this recession or depression—this era of Americans without food—is to cut income taxes. Cutting taxes would have the immediate result of boosting purchasing power, building consumer demand, and, thereby, putting workers back to work.

Mr. President, I propose that we give all Americans an income-tax reduction by raising the personal income tax exemption from \$600 to \$800. This would amount to a total estimated tax reduction of \$5.2 billion annually. Most of this tax reduction would go to persons earning less than \$6,000 a year. For example, nearly \$2 billion of this added consumer purchasing power would go to the 57 percent of our taxpayers who have a family earning of less than \$100 a week.

This bracket alone includes 62 million people. Another billion dollars of the reduction would mean that much more money in the pockets of the 18 million Americans, families with income between \$5,000 and \$6,000 per year. Most of these are people who have a real need for this money for day-to-day family expenses.

Mr. President, here is what the reduction in taxes which I propose would mean to a family of 3 with an income of \$3,000 a year. Under present law this family pays Federal income taxes of \$180 a year.

Under the amendment I propose, that family tax bill would be reduced 66 percent—the family would get a reduction of \$120 and would have to pay only \$60 a year. This is realistic tax relief, and I believe it is not one iota out of proportion to the demonstrated need for this taxable year of 1958.

This would prime the pump of sales of consumer goods. This bill would make it possible for many families to send a son or daughter to college who are now unable to do so. This bill is an act of delayed justice. The big corporation taxpayers got a tax cut in 1954. It is time for the people to have a tax cut.

Mr. President, on behalf of myself, the Senator from Wisconsin [Mr. PROXMIRE], and the Senator from Oregon [Mr. MORSE], I introduce for appropriate reference, a bill to carry out the proposal which I have made.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3411) to increase from \$600 to \$800 the amount of each income-tax exemption for the taxable year 1958, introduced by Mr. YARBOROUGH (for himself, Mr. PROXMIRE, and Mr. MORSE), was received, read twice by its title, and referred to the Committee on Finance.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have the bill, along with two analyses of the tax reductions under its provisions, printed in the RECORD at this point.

There being no objection, the bill and analyses were ordered to be printed in the RECORD, as follows:

*Be it enacted, etc., That (a) the following provisions of the Internal Revenue Code of 1954 are amended by striking out "\$600"*



wherever appearing therein and inserting in lieu thereof "\$800":

(1) Section 151 (relating to allowance of deductions for personal exemptions);

(2) Section 642 (b) (relating to allowance of deductions for estates);

(3) Section 6012 (a) (relating to persons required to make returns of income);

(4) Section 6013 (b) (3) (A) (relating to assessment and collection in the case of certain returns of husband and wife); and

(5) Section 6015 (a) (2) (A) (relating to declaration of estimated income tax by individuals).

(b) The following provisions of the Internal Revenue Code of 1954 are amended by striking out "\$1,200" wherever appearing therein and inserting in lieu thereof "\$1,600":

(1) Section 6012 (a) (1) (relating to persons required to make returns of income); and

(2) Section 6013 (b) (3) (A) (relating to assessment and collection in the case of certain returns of husband and wife).

SEC. 2. (a) Section 3 of the Internal Revenue Code of 1954 (relating to optional tax if adjusted gross income is less than \$5,000) is amended by striking out "who has elected for such year to pay the tax imposed by this section, the tax shown in the following table:" and inserting in lieu thereof "who has elected for such year to pay the tax imposed by this section—

"(1) In the case of a taxable year beginning after December 31, 1957, and before January 1, 1959, the tax shown in a table which shall be prescribed by the Secretary or his delegate. The table prescribed under this paragraph shall correspond in form to the table in paragraph (2) and shall provide for amounts of tax in the various adjusted gross income brackets approximately equal to the amounts which would be determined under section 1 if the taxable income were computed by taking the standard deduction.

"(2) In the case of any taxable year, other than a taxable year beginning after December 31, 1957, and before January 1, 1959, the tax shown in the following table: "

(b) Section 4 (a) of the Internal Revenue Code of 1954 (relating to rules for optional tax) is hereby amended by inserting after "the table in section 3" the following: "and the table prescribed under section 3".

SEC. 3. (a) Section 3402 (b) (1) of the Internal Revenue Code of 1954 (relating to percentage method of withholding income tax at source) is amended by striking out "(1) The table referred to in subsection (a) is as follows:" and inserting in lieu thereof the following:

"(1) (A) The table referred to in subsection (a) is, with respect to wages paid on or after the first day of the first month which begins more than 10 days after the date of the enactment of the Individual Tax Reduction Act of 1958 and before January 1, 1959, as follows:

*"Percentage method withholding table*

*Amount of one withholding exemption*

*"Payroll period:*

Weekly	\$17.00
Biweekly	35.00
Semi-monthly	37.00
Monthly	74.00
Quarterly	225.00
Semi-annual	444.00
Annual	889.00
Daily or miscellaneous (per day of such period)	2.40

"(B) The table referred to in subsection (a) is, with respect to wages paid (other than wages paid during the period to which subparagraph (A) applies), as follows."

(b) So much of paragraph (1) of section 3402 (c) of the Internal Revenue Code of 1954 (relating to wage bracket withholding)

as precedes the first table in such paragraph is amended to read as follows:

"(1) (A) At the election of the employer with respect to any employee, the employer shall deduct and withhold upon the wages paid to such employee on or after the first day of the first month which begins more than 10 days after the date of the enactment of the Individual Tax Reduction Act of 1958 and before January 1, 1959, a tax determined in accordance with the tables prescribed by the Secretary or his delegate, which shall be in lieu of the tax required to be deducted and withheld under subsection (a). The tables prescribed under this subparagraph shall correspond in form to the wage bracket withholding tables in subparagraph (B) and shall provide for amounts of tax in the various wage brackets approximately equal to the amounts which would be determined if the deductions were made under subsection (a).

"(B) At the election of the employer with respect to any employee, the employer shall deduct and withhold upon the wages paid

to such employee (other than wages paid during the period to which subparagraph (A) applies) a tax determined in accordance with the following tables, which shall be in lieu of the tax required to be deducted and withheld under subsection (a)."

SEC. 4. The amendments made by the first section and section 2 shall apply only to taxable years beginning after December 31, 1957, and before January 1, 1959. The amendments made by section 3 shall apply only to wages paid on or after the first day of the first month which begins more than 10 days after the date of the enactment of this act, and before January 1, 1959.

SEC. 5. This act may be cited as the "Individual Tax Reduction Act of 1958."

**NUMBER OF AMERICANS IN EACH INCOME BRACKET WHO WOULD RECEIVE REDUCTIONS**

The following table shows the number of taxable returns filed for 1954 (the latest complete data available), arranged by various income groups, and the number of exemptions claimed by taxpayers in these groups:

Income classes	Taxable return in the classes		Exemptions claimed in the classes	
	Number	Percent of total	Number	Percent of total
\$600 to \$5,000	28,151,269	66.0	62,943,271	56.4
\$5,000 to \$10,000	12,355,239	29.0	41,397,271	37.1
\$10,000 to \$20,000	1,583,974	3.7	5,367,920	4.8
Over \$20,000	542,578	1.3	1,901,048	1.7
Total	42,633,060	100.0	111,609,510	100.0

**ANALYSIS OF TAX REDUCTIONS UNDER THE \$800 EXEMPTION PROPOSAL**

The distribution of the estimated tax reduction under \$800 per capita exemptions is as follows:

Adjusted gross income	Tax reduction	
	Amount (millions)	Per cent
Under \$5,000	\$1,998	38.2
\$5,000 to \$6,000	909	17.4
\$6,000 to \$7,000	659	12.6
\$7,000 to \$8,000	455	8.7
\$8,000 to \$9,000	297	5.7
\$9,000 to \$10,000	207	4.0
Over \$10,000	701	13.4
Total	5,226	100.0

*Federal income tax liability under present law compared with liability under \$800 personal exemption proposal, for married couple with 1 dependent, at selected levels of income*

Income level	Tax under present law	Tax if exemption is raised to \$800	Tax saving under \$800 exemption proposal	Percentage tax reduction under \$800 exemption proposal
\$2,000	0	0	0	10
\$3,000	\$180	\$60	\$120	66.7
\$4,000	360	240	120	33.3
\$5,000	540	420	120	22.2
\$10,000	1,504	1,372	132	8.8
\$20,000	3,988	3,800	188	4.7
\$100,000	45,144	44,724	420	.9

NOTE.—Computations are based on the tax rate schedule; deductions equal to 10 percent of income are assumed.

Mr. YARBOROUGH. Mr. President, I ask that the bill lie on the table until the close of the session of the Senate this coming Monday, to give an opportunity to any other Senators who may wish to do so to join in sponsoring it.

The VICE PRESIDENT. Is there objection to the request of the Senator from Texas? Without objection, it is so ordered.

**AMENDMENT OF FEDERAL-AID HIGHWAY ACT**

Mr. GORE. Mr. President, on behalf of myself and Senators CARROLL, MORSE, MANSFIELD, and YARBOROUGH, I introduce, for appropriate reference, a bill to provide for acceleration of the Federal-aid highway program.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3414) to amend and supplement the Federal Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes, introduced by Mr. Gore, was received, read twice by its title, and referred to the Committee on Public Works.

Mr. GORE. Mr. President, I ask unanimous consent that the bill lie on the table until the close of the session of the Senate on tomorrow, to give an opportunity to any other Senators who may wish to do so to join in sponsoring it.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. GORE. Mr. President, the Federal Aid Highway Act of 1956 provided for the construction within a 13-year period of a National System of Interstate and Defense Highways connecting the major metropolitan areas of our country. Despite the clear intent expressed in the 1956 act that this system of highways should be completed within a 13-year period, we are now faced with a proposed stretchout of this program



under which the 13-year construction period would be increased to 24 or 25 years. We are faced with this stretchout at a time when there is a great need for stimulating our economy and relieving serious unemployment. Instead of cutting back our highway program, Mr. President, we must accelerate it.

Only yesterday, according to the newspapers, President Eisenhower spoke of the availability of programs on which advance planning had already been made which could be accelerated in the public interest. I call attention specifically to the highway program.

The bill I have introduced would increase the authorizations for the Interstate System for the years 1959 through 1969 by an amount sufficient to permit the completion of the entire 41,000 miles within the original 13-year period, taking into account the increased cost estimates recently submitted to the Congress by the Secretary of Commerce. The bill would remove from the Highway Trust Fund the financing of expenditures for the construction of primary, secondary and urban Federal-aid roads. Under my bill, these systems would be financed by appropriations from the general fund, as was the case before passage of the act of 1956.

I know of no good reason why the secondary, primary, and urban highways should be financed by the trust fund so long as only a part of the revenue from highway-user taxes is dedicated to the fund. The estimated receipts of the Highway Trust Fund over the life of the fund will then be sufficient to finance the construction of the Interstate System on the basis of presently estimated costs.

Mr. President, my bill also provides for accelerating the construction of primary, secondary and urban roads. It is recognized that because of reduced engineering and planning requirements, additional projects on these systems may be placed under contract sooner than is the case with respect to interstate projects.

In the interest of providing additional employment opportunities during the calendar year 1958, my bill would authorize a supplemental apportionment for the so-called ABC—primary, secondary, and urban—roads for fiscal 1959 in the amount of \$450 million.

Evidence presented to the Subcommittee on Public Roads indicates that the several States could undertake additional projects without delay provided the funds were available. A number of States, however, would have great difficulty in securing during the calendar year 1958 additional State matching funds to permit full utilization at the earliest possible date of the additional sums authorized in the bill I have introduced. For this reason, the bill authorizes an additional \$450 million to be apportioned to the several States and made available to them for use as State matching funds for construction on the primary, secondary, and urban highway systems. The funds thus advanced to the States for this purpose would be repaid to the Federal Government out of regular primary, secondary, and urban

apportionments made under authorizations for future years, beginning in fiscal 1964.

Mr. President, I am convinced that if we are to avoid an even more serious economic situation than that in which we now find ourselves, the Government must take appropriate action to stimulate the economy. Among the more effective ways of accomplishing this is the acceleration of sound public works programs. I know of no public works program which provides greater economic benefits than does the construction of highways. I know of no public works program which would provide more employment opportunities per dollar spent than the construction of highways.

Mr. President, I submitted to the Subcommittee on Public Roads this week a study made by the Department of Highways of the State of New Jersey, which was supplied to me by Governor Meyner. The study concluded that of every dollar spent for highway construction, an estimated 90 cents is spent for the employment of people either as direct on-the-job labor or for labor employed in the production of materials and equipment.

Finally, Mr. President, I know of no public works program on which more detailed planning has been accomplished and which could be accelerated with as little delay as is the case with our highway program.

The State highway departments have reported to the Public Roads Subcommittee that if necessary funds are provided, contracts totalling an additional amount in excess of one and one-half billion dollars can be placed within calendar year 1958.

Mr. President, I hope the Public Works Committee and the Senate will act promptly on this matter.

#### SELF-EMPLOYED VOLUNTARY RETIREMENT PLAN—INDIVIDUAL INITIATIVE SECURITY

Mr. MALONE. Mr. President, I introduce, for appropriate reference, a bill to encourage the establishment of voluntary retirement plans by self-employed individuals.

The bill would allow self-employed persons a deduction for Federal income tax purposes for amounts set aside for their retirement, limited to 10 percent or \$5,000 a year, whichever is lesser, of self-employment income. This will also encourage individual initiative in providing for their own retirement. Amounts set aside in excess of these limitations could be carried over and deducted in a later year.

Older age groups would be able to set aside a larger proportion of their earnings before taxes, so that they could build up adequate retirement reserves in a shorter time. Under this bill the tax will be deferred until the payment of the benefits, which will be taxable.

A deduction would be permitted for amounts paid into either a trust or custodian account established under the retirement plan for self-employed individuals, or a restricted retirement policy, which is either a new or existing life insurance or annuity contract.

The planned benefits would be taxed to the individual only when received by him—normally after he retired. A lump-sum distribution of his entire interest would get favored tax treatment if made to him after he reached 65 and after his contributions accumulated in the plan for at least 5 years, or if made after his death.

Mr. President, in view of the difference of treatment under the present retirement laws between self-employed individuals and employees, with regard to retirement and pension plans, and benefits thereunder, there exists today a great inequity to large groups of people.

Self-employed groups whether or not they are included in or excluded from social security should have the opportunity to come under a voluntary retirement plan system and receive the tax benefits which would inure under this bill. It will give 9.7 million people an opportunity to provide for their own retirement.

The difficulty of saving under the present high-income tax rates is apparent—when this is applied to the lower income bracket of self-employed persons, their ability to provide for their later years or that "rainy day" is next to impossible.

It should be recognized that employee pension plans were developed before the adoption of Federal income taxation and that they serve an important purpose quite apart from the tax advantage. This is apropos to the self-employed individual.

The following groups of people would have the opportunity to take advantage of this program: 3.3 million farm operators; three-tenths of a million ministers; one-tenth of a million physicians; 6 million additional persons including small-business men, lawyers, architects, engineers, dentists, and so forth.

I am opposed to socialized medicine and Government interference in the education of engineers and scientists.

As of September 1957 we had 66.5 million persons in paid employment in the United States and the self-employed group represents approximately 10 million persons or about one-sixth of our working population. When you realize that about 1 out of 6 working people are not given the opportunity to make adequate provision for their retirement it is apparent that this legislation is needed.

I ask unanimous consent that the bill may be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3415) to encourage the establishment of voluntary pension plans by self-employed individuals, introduced by Mr. MALONE, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

*Be it enacted, etc.,* That this act may be cited as the "Self-Employed Individuals Retirement Act of 1958."

SEC. 2. Deduction of amounts paid as retirement deposits.

(a) Part I of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating



to the definition of gross income, adjusted gross income, and taxable income) is hereby amended by adding to section 62 the following new paragraph:

"(7) Deduction of amounts paid as retirement deposits. The deduction allowed by section 217."

(b) Part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is hereby amended by redesignating section 217 as section 218 and by inserting after section 216 the following new section:

"SEC. 217. Amounts paid as retirement deposits.

"(a) General rule: In the case of a self-employed individual, there shall be allowed as a deduction the amount paid by him within the taxable year as a retirement deposit, but not in excess of the amount computed under the provisions of subsections (b), (c), and (d) of this section. Amounts paid by a self-employed individual as a retirement deposit within 4½ months after the close of a taxable year may, at the election of the taxpayer (made under regulations prescribed by the Secretary or his delegate), be treated as having been paid on the last day of the taxable year.

"(b) Limitations: Except as provided in subsections (c) and (d), the total amount deductible under subsection (a) by any self-employed individual for any taxable year shall not exceed \$5,000 or 10 percent of his net earnings from self-employment (as defined in subsection (i)), whichever is the lesser. The aggregate amounts deductible under subsection (a) for all taxable years during a self-employed individual's lifetime shall not exceed an amount equal to 20 times the maximum annual deduction allowable if the foregoing limitation expressed in terms of dollars were the only annual limitation.

"(c) Special rule: In the case of any self-employed individual who reached his 50th birthday before January 1, 1958, the annual limit on the amount deductible by him under subsection (a) shall be increased over that provided in the first sentence of subsection (b) by one-tenth for each full year of his age in excess of 50 and not in excess of 70, determined as of January 1, 1958. The increased deduction under this subsection shall not apply to taxable years of a self-employed individual after the taxable year in which he reaches age 70.

"(d) Unused deduction adjustment.—

"(1) Allowance: The limit on the amount annually deductible under subsection (a) as determined under subsection (b) or (c), as the case may be, shall be increased in the case of a self-employed individual having an unused deduction by an amount equal to the excess, if any, of \$5,000 over the amount deductible under subsection (a) without reference to this subsection, but not in excess of the taxpayer's unused deduction adjustment.

"(2) Computation: The unused deduction adjustments for any taxable year shall be the aggregate of the unused deduction carryovers.

"(3) Definition of unused deduction: For purposes of this subsection, the term 'unused deduction' means the excess, if any, of (A) the amount which, if paid as a retirement deposit, could be deducted under subsection (a) by a self-employed individual during the taxable year, over (B) the amount so paid or treated as having been paid during such year.

"(4) Amount of carryover: If for any taxable year beginning after December 31, 1957, a self-employed individual has an unused deduction, such unused deduction shall be an unused deduction carryover for each of the succeeding 5 taxable years. The entire amount of the unused deduction carryover for any taxable year shall be carried

to the first succeeding taxable year. There shall be carried to each of the other 4 succeeding taxable years only so much of such unused deduction carryover as was not availed of as a deduction in 1 or more of the prior taxable years to which such unused deduction carryover may be carried.

"(e) Definition of self-employed individual: The term 'self-employed individual' as used in this section and in sections 78, 79, 405, 6047, and 6048 means any individual who is subject to tax for the taxable year under section 1401 (imposing a tax on self-employment income), or who would be subject to such tax for the taxable year but for paragraph (4) (relating to ministers of a church and members of a religious order) or paragraph (5) (relating to physicians, etc.) of section 1402 (c). Notwithstanding the foregoing, such term shall not include an individual otherwise meeting the definition of a self-employed individual who during the taxable year receives a payment under, or in respect of whom during the taxable year a contribution is made or treated as having been made under, or who during the taxable year or any prior taxable year received a distribution of his interest in (A) a pension, profit sharing or stock bonus plan of an employer qualifying under section 401 (a), or under section 165 (a) of the Internal Revenue Code of 1939, or (B) a pension plan set up by the United States or any agency or Territory thereof, the District of Columbia, any State or political subdivision or instrumentality thereof, or any organization described in subsection (c) (3) of section 501.

"(f) Definition of retirement deposit: As used in this chapter the term 'retirement deposit' means a payment in money to a restricted retirement fund described in section 405 (a), or to a life insurance company (as defined in section 801) as premiums under a restricted retirement policy. In the case of retirement deposits paid as premiums under a restricted retirement policy, if the policy provides for life insurance protection, that portion of such premiums which (under regulations prescribed by the Secretary or his delegate) is properly allocable to the cost of such life insurance protection shall not be deductible under this section.

"(g) Definition of restricted retirement fund: For definition of 'restricted retirement fund,' see section 405 (a).

"(h) Definition of restricted retirement policy: For purposes of this chapter, the term 'restricted retirement policy' means an annuity, endowment, or life insurance contract, or combination thereof, other than a term insurance contract, issued by a life insurance company on the life of an individual who during the taxable year is a self-employed individual—

"(1) in which such self-employed individual has complete ownership and with respect to which such self-employed individual, in such form and manner as may be prescribed by the Secretary or his delegate, has notified the insurance company of his intention to deduct premiums from gross income pursuant to and subject to the limitations of section 217 and has had an endorsement to that effect entered thereon as provided in section 6047, and

"(2) which provides that it shall be non-assignable except as to the right of the insured (A) to designate one or more beneficiaries to receive the proceeds in the event of his death, or (B) to designate a joint, survivor, or joint and survivor annuitant effective upon his reaching age 65.

"(i) Definition of net earnings from self-employment: For purposes of this section the term 'net earnings from self-employment' means the net earnings from self-employment as defined in section 1402 (a), but determined without regard to paragraphs (4) and (5) of section 1402 (c).

"(j) Cross references: For amounts includible in taxable income with respect to retirement deposits see sections 78 and 79."

(c) The table of sections for part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 is hereby amended by striking out "Sec. 217. Cross references," and by inserting in lieu thereof the following:

"SEC. 217. Amounts paid as retirement deposits.

"SEC. 218. Cross references."

SEC. 3. Returns of life insurance companies and banks with respect to restricted retirement policies and funds.

(a) Part III of subchapter A of chapter 61 of subtitle F of the Internal Revenue Code of 1954 (relating to information returns) is hereby amended by adding at the end thereof the following new sections:

"SEC. 6047. Returns of life insurance companies with respect to restricted retirement policies.

"(a) Initial returns: Every life insurance company, upon receiving notification from a self-employed individual of his intention, with respect to any contract issued by said company, to deduct premiums paid as retirement deposits pursuant to section 217, shall within 60 days thereafter endorse on said contract the words 'Restricted Retirement Policy Pursuant to Section 217 of the Internal Revenue Code' and shall make a return in accordance with regulations prescribed by the Secretary or his delegate.

"(b) Further return: Thereafter, in the event that—

"(1) such a contract is surrendered for its cash value or assigned, or

"(2) a nonforfeiture option under such a contract (other than reduced paid-up insurance) becomes operative, or

"(3) any part of the cash value of such a contract is borrowed or advanced (other than borrowing or advance solely to pay a premium thereon, in an amount not in excess of 1 annual premium which is repaid in full within 12 months following the due date of such premium)

such company shall make a return in accordance with regulations prescribed by the Secretary or his delegate.

"(c) Exception: The return provided for under subsection (b) shall not be required in the case of exercise by a self-employed individual of any cash, loan, or nonforfeiture value to the extent it had accrued on such contract prior to the time it became a restricted retirement policy as defined in section 217 (h).

"SEC. 6048. Returns of banks with respect to restricted retirement funds.

"Every bank which becomes a trustee or custodian of a restricted retirement fund created pursuant to section 217 shall file such returns, in such form and at such times, as may be prescribed under regulations promulgated by the Secretary or his delegate."

(b) The table of sections for subpart B of part III of subchapter A of chapter 61 of the Internal Revenue Code of 1954 is hereby amended by adding at the end thereof the following:

"SEC. 6047. Returns by life insurance companies with respect to restricted retirement policies.

"SEC. 6048. Returns by banks with respect to restricted retirement funds."

SEC. 4. Restricted retirement funds.

(a) Part I of subchapter D of chapter 1 of the Internal Revenue Code of 1954 (relating to pension, profit-sharing, stock bonus plans, etc.) is hereby amended by adding at the end thereof the following new section:







MARCH 11, 1958

HOUSE

16. PUBLIC WORKS. By a vote of 321 to 81, passed with amendments S. 497, the rivers and harbors and flood control bill, including 19 projects not included in the bill as reported by the Public Works Committee. pp. 3411-73
17. TOBACCO. The Tobacco Subcommittee ordered reported to the Agriculture Committee H. R. 11058 to provide for reductions in the acreage allotment of tobacco farmers who harvest more than one crop of tobacco in a year from the same acreage. p. D198
18. FORESTRY. The House Armed Services Committee ordered reported S. 3262, to authorize Federal grants to construct Olympic facilities for the 1960 winter games on Forest Service land. p. D198
19. MEATPACKERS. The Interstate and Foreign Commerce Committee ordered reported with amendments H. R. 11234, to vest in the Federal Trade Commission "certain jurisdiction over meatpackers." p. D198
20. MEAT MARKETING. This office has received a limited supply of a committee print, "Trends in Efficiency in Meat Processing and Distribution," a report from the Consumers Study Subcommittee, House Agriculture Committee. The subcommittee makes specific recommendations as follows:
  - "Technological and economic research on problems involved in reducing meat processing and distribution costs should be increased sharply.
  - "The Advisory Committee on Livestock and Meat Marketing should be re-constituted. A majority of the members of an advisory committee on meat marketing should have experience in medium and small meat processing and distributing businesses. Perhaps there should be separate committees on livestock production, and meat marketing.
  - "Research and educational programs should be undertaken jointly by representatives of employers and employees to discover ways and means of accelerating technical progress and cost reductions in meat processing and distribution.
  - "These great changes in technological and economic forces in meat distribution make it highly desirable that a broad research and experimental program aimed at producing fundamental economies in meat processing and distribution be undertaken promptly."
21. ROADS. The Rules Committee reported H. Res. 50, to provide 2 hours of debate on H. R. 9821, to authorize appropriations for the continuing construction of highways including forest highways, roads, and trails. pp. 3473, ~~3478~~
22. UNEMPLOYMENT. Rep. Barrett urged immediate action against unemployment, including tax reductions and removal "of all vestiges of the tight money policy which was the main culprit in bring on the present slump." pp. 3573-4

6. WATERSHEDS. Both Houses received from the Bureau of the Budget "plans for works of improvement" in N. M., N. Y., Okla., and Wis. pp. 3478-81
7. ROADS. Both Houses received from the Secretary of Commerce a proposed bill to "amend and supplement the Highway Revenue Act of 1956"; to the Public Works Committees. pp. 3478, 3481
8. FARM TAXES. Sen. Neuberger inserted a resolution from the Hermiston, Ore., Grange urging exemption from Federal taxation for all farmers whose annual income is less than \$3000. p. 3481
9. ECONOMIC SITUATION. Sen. Carlson stated that in 1949 tax cuts and easier credit led to rapid increases in national income, urged that the same solution be applied today, and inserted an editorial, "Recession Can Be Stopped." pp. 3488-9  
Sen. Smith, N. J., inserted 2 articles on the economic situation. pp. 3489-91  
Sen. Douglas discussed the unemployment figures for Feb. and their relation to the economic situation, and inserted a speech by AFL-CIO President Meany urging a tax cut to fight recession, with which Sen. Douglas concurred. pp. 35-3-9  
Sen. Kefauver discussed the economic situation and its relation to the monopolistic practices in certain industries, and inserted articles and a statement on business and the economy. pp. 3519-24  
Sen. Humphrey inserted an editorial urging the Administration to come forward with a unified fiscal policy, including stopping the Treasury's efforts to emphasize long-term financing of the public debt. pp. 3569-70  
Sen. Humphrey inserted articles criticizing the President's budget forecasts and stating that steel output was dropping again after a slight gain. pp. 3571-2
10. PUBLIC WORKS. The Public Works Committee reported with amendments S. Con. Res. 68, favoring the acceleration of civil construction programs for which appropriations have been made (S. Rept. 1376). p. 3580
11. FOREIGN AID. Sen. Morse inserted a series of articles analyzing our foreign aid policies in Asia. pp. 3493-98
12. SMALL FARMS. Sen. Morse inserted a letter he had received, and his reply, discussing the importance and need for more small farms. p. 3574
13. HOUSING. Sen. Morse spoke in opposition to increased interest rates for housing. pp. 3574-76
14. PERSONNEL. Sen. Johnston criticized recent reductions in Federal personnel as harmful in the current economic situation, and inserted a newspaper article on the matter. pp. 3516-17
15. LEGISLATIVE PROGRAM. The "Daily Digest" states that the "majority leader announced that following action on S. 3418, to stimulate residential construction, Senate will consider H. R. 10021, formula for taxing income of life-insurance companies, to be followed by S. J. Res. 162, to stay reduction in support prices or acreage allotments, and S. J. Res. 163, to stay reduction in dairy price supports." p. D195



## CONSIDERATION OF H. R. 9821

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MARCH 11, 1958.—Referred to the House Calendar and ordered to be printed

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Mr. O'NEILL, from the Committee on Rules, submitted the following

### REPORT

[To accompany H. Res. 501]

The Committee on Rules, having had under consideration House Resolution 501, report the same to the House with the recommendation that the resolution do pass.

○



# House Calendar No. 166

85TH CONGRESS  
2D SESSION

## H. RES. 501

[Report No. 1496]

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### IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 1958

Mr. O'NEILL, from the Committee on Rules, reported the following resolution;  
which was referred to the House Calendar and ordered to be printed

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## RESOLUTION

1       *Resolved*, That upon the adoption of this resolution it  
2 shall be in order to move that the House resolve itself into  
3 the Committee of the Whole House on the State of the  
4 Union for the consideration of the bill (H. R. 9821) to  
5 amend and supplement the Federal-Aid Road Act approved  
6 July 11, 1916, to authorize appropriations for continuing  
7 the construction of highways. After general debate, which  
8 shall be confined to the bill and continue not to exceed two  
9 hours, to be equally divided and controlled by the chairman  
10 and ranking minority member of the Committee on Public  
11 Works, the bill shall be read for amendment under the five-  
12 minute rule. At the conclusion of the consideration of the



1 bill for amendment, the Committee shall rise and report the  
2 bill to the House with such amendments as may have been  
3 adopted, and the previous question shall be considered as  
4 ordered on the bill and amendments thereto to final passage  
5 without intervening motion except one motion to recommit.

House Calendar No. 166

85TH CONGRESS  
2D SESSION

## H. RES. 501

[Report No. 1496]

### RESOLUTION

Providing for the consideration of H. R. 9821,  
a bill to amend and supplement the Federal-  
Aid Road Act approved July 11, 1916, to  
authorize appropriations for continuing the  
construction of highways.

By Mr. O'NEIL

MARCH 11, 1958

Referred to the House Calendar and ordered to be  
printed

Mr. O'NEILL changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. BLATNIK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 321, nays 81, not voting 29, as follows:

{Roll No. 21}

YEAS—321

Abernethy	Donohue	Dandrum
Addonizio	Dooley	Lape
Albert	Dorn, N. Y.	Lankford
Alexander	Dorn, S. C.	LeCompte
Allen, Calif.	Dowdy	Lennon
Allen, Ill.	Doyle	Lesinski
Andersen	Edmondson	Libonati
H. Carl	Elliott	Long
Anderson, Mont.	Engle	Loser
Andrews	Everett	McCarthy
Anfuso	Evins	McCormack
Ashley	Fallon	McDonough
Ashmore	Farbstein	McFall
Aspinall	Fascell	McGovern
Auchincloss	Feighan	McIntire
Avery	Fenton	McIntosh
Bailey	Fino	McMillan
Baker	Fisher	McVey
Baldwin	Flood	Macdonald
Barden	Forand	Machrowicz
Barling	Ford	Mack, Ill.
Barrett	Forrester	Mack, Wash.
Bass, Tenn.	Fountain	Madden
Bates	Frazier	Magnuson
Baumhart	Friedel	Mahon
Beamer	Fulton	Maillard
Beckworth	Garmatz	Matthews
Belcher	Gary	Meader
Bennett, Fla.	Gathings	Merrrow
Bennett, Mich.	Gavin	Metcalf
Bentley	George	Miller, Calif.
Berry	Glenn	Miller, Md.
Blatnik	Gray	Miller, Nebr.
Blich	Green, Oreg.	Mills
Boggs	Gregory	Minnish
Boland	Griffiths	Mitchell
Bolling	Gubser	Montoya
Bonner	Hagen	Moore
Boyle	Hale	Morano
Bray	Haley	Morgan
Brooks, La.	Harden	Morris
Brooks, Tex.	Harris	Morrison
Brown, Ga.	Harrison, Nebr.	Moss
Brown, Mo.	Hays, Ark.	Moulder
Broyhill	Hays, Ohio	Multer
Burleson	Healey	Natcher
Bush	Hobert	Neal
Byrd	Hemphill	Nicholson
Byrne, Ill.	Herlong	Norblad
Byrne, Pa.	Heseltan	Norrell
Canfield	Hill	O'Brien, Ill.
Cannon	Hoever	O'Brien, N. Y.
Carnahan	Hoffman	O'Hara, Ill.
Carrigg	Hollifield	O'Hara, Minn.
Cederberg	Holland	O'Konski
Celler	Holmes	O'Neill
Chamberlain	Holtzman	Osmer
Chelf	Horan	Passman
Chenoweth	Hosmer	Patman
Chipperfield	Huddleston	Patterson
Christopher	Hull	Pelly
Church	Hyde	Perkins
Clark	Ikard	Pfist
Coad	Jarman	Philbin
Coffin	Jenkins	Pilcher
Colmer	Jennings	Poage
Cooley	Jensen	Polk
Corbett	Johansen	Porter
Cretella	Johnson	Powell
Cunningham,	Jones, Ala.	Preston
Iowa	Jones, Mo.	Price
Curtin	Judd	Prouty
Davis, Ga.	Karsten	Quie
Davis, Tenn.	Kearns	Rabaut
Dawson, Ill.	Kee	Reece, Tenn.
Dawson, Utah	Kelly, N. Y.	Reed
Delaney	Keogh	Reuss
Dellay	Kilday	Rhodes, Ariz.
Dennison	Kilgore	Rhodes, Pa.
Dent	King	Riley
Denton	Kirwan	Rivers
Devereux	Kitchin	Robeson, Va.
Diggs	Kluczynski	Robison, Ky.
Dingell	Knox	Rodino
Dixon	Knutson	Rogers, Colo.
Dollinger	Krueger	Rogers, Fla.

Rogers, Mass.  
Rogers, Tex.  
Rooney  
Roosevelt  
Rutherford  
Sadlak  
Santangelo  
Saund  
Saylor  
Schwengel  
Scott, N. C.  
Scudder  
Seely-Brown  
Selden  
Shelley  
Sheppard  
Sikes  
Siler  
Simpson, Ill.  
Sisk  
Smith, Miss.

Smith, Va.  
Spence  
Springer  
Staggers  
Stauffer  
Sullivan  
Talle  
Teague, Tex.  
Teller  
Thomas  
Thompson, La.  
Thompson, N. J.  
Thompson, Tex.  
Thornberry  
Tollefson  
Trimble  
Ullman  
Vanik  
Van Pelt  
Van Zandt  
Vinson

Vursell  
Wainwright  
Waiter  
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Weaver  
Westland  
Whitener  
Whitten  
Wier  
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Alger  
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Ayres  
Bass, N. H.  
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Betts  
Bosch  
Bow  
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Brown, Ohio  
Brownson  
Budge  
Byrnes, Wis.  
Clevenger  
Collier  
Coudert  
Cramer  
Cunningham, Nebr.  
Curtis, Mass.  
Curtis, Mo.  
Dague  
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Bolton  
Boykin  
Buckley  
Burdick  
Dempsey  
Dies  
Durham  
Eberhart  
Flynt  
Fogarty

Ostertag  
Pillon  
Poff  
Ray  
Rees, Kans.  
Riehlman  
Robison, N. Y.  
St. George  
Schenck  
Scherer  
Scrivner  
Sheehan  
Simpson, Pa.  
Smith, Calif.  
Smith, Kans.  
Taber  
Teague, Calif.  
Tewes  
Thomson, Wyo.  
Tuck  
Utt  
Vorys  
Wharton  
Widnall  
Wigglesworth  
Withrow

So the bill was passed.

The Clerk announced the following pairs:

Mr. Buckley with Mrs. Bolton.  
Mr. Hardy with Mr. Taylor.  
Mr. Gordon with Mr. Scott of Pennsylvania.  
Mr. Flynt with Mr. Radwan.  
Mr. Roberts with Mr. James.  
Mr. Fogarty with Mr. Hillings.  
Mr. Boykin with Mr. Burdick.  
Mr. Gordon with Mr. Bush.  
Mrs. Granahan with Mr. Williams of New York.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

FEDERAL AID ROAD ACT

Mr. O'NEILL, from the Committee on Rules, reported the following privileged resolution (H. Res. 501, Rept. No. 1496),

which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 9821) to amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

COMMITTEE ON SMALL BUSINESS

Mr. YATES. Mr. Speaker, I ask unanimous consent that during the remainder of the week Subcommittee No. 3 of the House Select Committee on Small Business may sit during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

THE UNEMPLOYMENT SITUATION

(Mr. BARRETT asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BARRETT. Mr. Speaker, the business recession in the United States continues to snowball as thousands of additional wage earners are furloughed from their jobs. Many of us have foreseen the present economic condition, but try as we would, we could not seem to convince the administration that the situation was really serious.

It is indeed regrettable that millions of people must suffer because of this administration's disregard for the average working man and his family. These people certainly are not to blame for this recession. They want to work and provide a comfortable way of life for their loved ones, but just how can they when they can not find jobs.

The city of Philadelphia has been hard-hit by this recession. I personally know of thousands of families in my Congressional District who are having a difficult time making ends meet. I have tried to help these men and women obtain other employment—and it is a difficult task because there just are not any job to be had for love nor money.

When the administration announced its intentions to economize, I knew we were heading for some difficult times. One by one the Federal installations in Philadelphia notified their employees that a reduction in force of present operating personnel was necessary for economic reasons. These agencies, however, assured their personnel that they would be placed in other positions in other Government agencies in the area.



While it is true some were absorbed by attrition, the majority were turned out in the streets to fend for themselves. Many of these unfortunate victims had more than 15 years of Government service to their credit. They still have not found work and are depending on public assistance grants or unemployment compensation.

Unemployment in January rose by more than 1 million and today over 5 million citizens are out of jobs. And there are 2 million or more wage earners who are really half employed because they are working only 2 or 3 days a week. With salaries cut off or reduced, these people face stark economic privation unless we pass some constructive legislation within the next month or so.

I believe this economic slump demands the full attention of our President and this administration, but in all honesty to Mr. Eisenhower, I must say that I do not think he is completely aware of the seriousness of the situation. I am convinced he has received bad advice from his economic and financial observers, who are deliberately hiding the truth from him.

Mr. Speaker, it is time the executive branch of the Government stop catering to the rich, the big bankers, the big-business men, and devote some time and efforts to the average Americans. It is still not too late providing, of course, that immediate steps are taken. Instead of hoping the economy will somehow revive itself, these officials should unite with the Congress in undertaking a bold economic program to get rid of unemployment and get us out of this recession.

Although I hope that the administration will join with us, I do not think the Congress can take the risk of waiting. We must act now to prevent this recession from spiraling further downward. We have learned a lot about our economy and we know that we do not need to sit idly by and see it toboggan to lower and lower levels of activity.

For one thing, we should immediately cut taxes substantially so that we can increase the purchasing power of the consumer. This is the best way to increase the market for the goods of industry.

Second, we should prevail upon the Federal Reserve Board to go even further in removing all vestiges of the tight money policy which was the main culprit in bringing on the present slump.

We must pass special legislation to take care of all depressed economic areas.

We must undertake an immediate program of public works. This will stimulate our economy, provide increased employment and also increase our national stock of desirable and useful community projects.

These are but a few steps we can and must take. Gentlemen, I cannot impress upon you more the urgency for immediate action. This recession must be stopped in its tracks before it becomes a full-fledged Hoover-type depression.

## TO ESTABLISH A UNITED STATES FOREIGN SERVICE ACADEMY

(Mr. RODINO asked and was given permission to extend his remarks at this point.)

Mr. RODINO. Mr. Speaker, the attention of the American people is now being focused on proposals for a summit meeting with the Soviets. In our concern with this problem we may overlook the State of our diplomatic relations far below the summit, on the level of the day-to-day work of our Foreign Service officers. The United States is today a superpower with responsibilities that girdle the globe, but we are limping along with a Foreign Service that is equipped to serve a minor power with only limited interests in the world beyond its own shores. It is not simply a question of giving more ambassadorial posts to professional foreign service men rather than to political appointees within the foreign service corps itself, there is a critical lack of American experts on the languages and people of the Middle East and all of Asia. It is a shocking truth that all too many of our diplomatic representatives are unable even to speak the language of the country in which they are stationed. They are highly capable people who work with the utmost dedication. But they work in foreign lands about which many of them know little. It is for these reasons that I call on both houses of Congress to take steps to build a more highly skilled and effectively trained diplomatic corps. Specifically, my resolution, H. R. 4420, urges the establishment of a United States Foreign Service Academy, similar to the military, naval, and air academies.

The bill provides for the location of the Academy in or near Washington, D. C., under the supervision of the Secretary of State. It is to offer a 4-year course leading to the bachelors degree. Entrance would be based on competitive examinations. Instruction at the Academy would give special emphasis to the history, sociology, government, and language of the nations in which the diplomatic cadets elect to serve. There would be a substantial period of time set aside for field training in these particular foreign countries. The cadets, or students, would be entitled to quarters and subsistence. Upon graduation they would be given preference when the original appointments to the Foreign Service are made. A Board of Visitors consisting of 5 members from each of the 2 congressional committees on foreign affairs would perform the same function as the Board of Visitors to the United States Military Academy.

I am convinced that the formation of this Academy will make a substantial contribution to improving the quality of our diplomatic corps. It will help provide the country with a gradually expanding pool of trained specialists so vital to the effective conduct of foreign relations today. It may be able to raise the level of instruction received by future Foreign Service officers studying in other American universities by establish-

ing a highly competent and relevant standard of teaching at the Academy. The provision of quarters and subsistence will enable many of our bright young men and women to enter the diplomatic corps who might otherwise be barred from it because they cannot afford a college education at a private university. Finally, the establishment of the Foreign Service Academy should help to gain a wider acceptance of the diplomat in American society and an appreciation of the important service he performs for all of us.

The job of representing the United States in foreign lands requires both generalists, those with a broad background and specialists in particular geographic areas. Modern diplomacy and the international responsibility of the United States combine to make this so. Diplomats are the eyes and ears of our Government abroad. Their observations provide important facts and analysis needed by the Executive in making our foreign policy. Moreover, these men and women serve as interpreters of American life and policies to the people of the foreign country in which they are stationed. This is in addition to the routine but necessary assistance they render American travelers, businessmen, and professional people temporarily resident in the country. On top of it all there is the basic function of diplomacy which is to achieve a firm understanding of the points of agreement and difference between nations and through negotiations to accommodate these differences whenever possible. All of these tasks have traditionally been performed by generalists. But the rapid changes in the structure of international politics in the last 20 years and in the role the United States plays in the world have changed all this, and created a need for trained specialists as well as generalists.

Until the Second World War international relations usually meant relations within Europe, or at most, relations between European countries, the United States, and Japan. The Second World War was the first truly world war and international relations have become world politics. The United States became a superpower with foreign policy interests in all parts of the world. This means the United States needs people who can speak the languages and who know the people of the Middle East, southeast Asia, East Asia, and parts of Africa as well as Europe. The simple truth is that we don't have enough of them.

Today the geographical area specialist has come into his own and has become the backbone of an effective Foreign Service. Our foreign relations have become highly complex and involve contacts with more than 80 different states. Our diplomatic staffs in the capitals of the more important countries must include experts on the economics, politics, and military affairs of the particular nation and on cultural and public relations. The State Department is now again plan-







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued March 14, 1958  
For actions of March 13, 1958  
85th-2d, No. 40

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HIGHLIGHTS; Senate passed measure to freeze acresage allotments and price supports (including dairy price supports). Rejected a measure to freeze only dairy price supports. Sen. Proxmire inserted Secretary's letter declining to debate farm issues with him. House committee ordered reported bill to authorize additional flexibility in price supports for extra-long staple cotton. House passed bills to: grant relief to certain farmers who overplanted wheat allotments; prohibit onion futures trading; authorize road appropriations. Rep. Reuss criticized Secretary's farm income statements.

## SENATE

1. PRICE SUPPORTS; ACREAGE ALLOTMENTS. Passed, by a vote of 50 to 43, S. J. Res. 162, to prohibit any reduction in price supports or acresage allotments for any commodity, except tobacco, below 1957 levels. (pp. 3790-3837) (See Digest 37 for fuller explanation of the resolution.)
2. DAIRY PRICE SUPPORTS. Rejected, by a vote of 43 to 50, S. J. Res. 163, to prohibit any reduction in support prices for dairy products. (pp. 3837-44) It was explained during debate on this measure that S. J. Res. 162, which had been passed earlier, prohibited reductions in dairy price supports, and thus this resolution was not necessary for the purpose intended.



3. FARM PROGRAM. Sen. Proxmire inserted the Secretary's letter to him declining to debate farm issues with him, and expressed disappointment that the Secretary declined. p. 3773

Sen. Humphrey inserted an article critical of proposals that more farmers should leave the farm as an aid in solving the problem of over-production of farm commodities. p. 3787

Sen. Dirksen inserted the text of a publication by this Department, "Facts About Price Supports," including tabular material on the costs of price support programs. p. 3884-85

4. ROADS. A subcommittee of the Public Works Committee ordered reported S. 3414, to authorize appropriations for continuing the construction of roads. ~~D207~~

5. FOREIGN TRADE. A subcommittee of the Banking and Currency Committee ordered reported S. 3093, to extend for an additional 2 years the Export Control Act. p. D207

Sen. Humphrey inserted a recent address he made suggesting ways for improvement of foreign aid program, including extension of Public Law 480. pp. 3788-90

6. PUBLIC WORKS. Sen. Case, S. Dak., inserted tabular material summarizing unexpended and unobligated balances for public works programs by agencies. pp. 3782-83

7. CONTRACTS. Both Houses received from the Secretary of Defense a proposed bill to extend the Renegotiation Act of 1951 for 2 years; to H. Ways and Means and S. Finance Committees. pp. 3747, 3750

8. VIRGIN ISLANDS. Received from GAO a report on review of selected activities of the Government of the Virgin Islands. p. 3750

9. RECLAMATION. Sen. Mansfield expressed pleasure that, according to an article he recently read, the Administration plans to submit to Congress a request for funds for the Helena Valley irrigation project, and the Fort Peck-Dawson Co. power transmission line. p. 3759

#### HOUSE

10. WHEAT. Passed as reported H. R. 11086, to grant relief from penalties of certain farmers who overplanted their wheat acreage allotments. pp. 3693-4

11. ONION FUTURES. Passed with amendment H. R. 376, to prohibit futures trading in onions (pp. 3694-5, 3696-3713). Rep. McIntire's amendment to include Irish potatoes was stricken on a point of order (p. 3706-7). Agreed to Rep. McIntire's amendment to allow existing futures contracts to remain valid (p. 3708). Rejected Rep. Krueger's motion to recommit the bill (p. 3713).

12. COTTON. The Cotton Subcommittee ordered reported to the Agriculture Committee H. R. 11399 (introduced by Rep. Gathings), to authorize additional flexibility in price supports for long-staple cotton. p. D208

13. ROADS. Passed as reported H. R. 9821, to authorize appropriations for Federal aid for road construction, including funds for forest highways, roads and trails. pp. 3695-6, 3719-23



The note in the mailbox was from a Government employee. The note reads in part:

Walter Reuther recommends a moratorium on tax collections.

Why doesn't he and other labor union czars declare a moratorium on the collection of union dues, COPE fund grabs, assessments, welfare funds, etc.?

After all, the union treasuries are bulging with surplus funds.

The Government is broke—\$275 billion plus in hock.

Seems the union treasuries can afford the luxury of a 90-day moratorium more than the Federal Treasury.

A GOVERNMENT EMPLOYEE.

I hope the Committee on Ways and Means will ask Mr. Reuther about that, because it seems quite helpful.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

(Mrs. ROGERS of Massachusetts asked and was given permission to revise and extend her remarks.)

Mrs. ROGERS of Massachusetts. Mr. Speaker, what is being done today to me just does not make sense, and our national defense is in jeopardy. They are r. i. f. 'ing or separating personnel out of Government departments; they are closing down hospitals; they are cutting down on arsenals and military installations, and then they are going out and giving employment somewhere else, taking it away from one person or a lot of people in one community and putting them on unemployment insurance or relief and giving it to another community. It disrupts in the end both communities. It is extremely unfair and cruel, and I think really dishonest. People do not realize that the Government is so big today that often they do not know the result of what they are doing in financial or social economy. All of us have had this experience in the past in connection with Government installations. People have been dropped; hospitals have been closed; arsenals have lost work and personnel, and they must be kept open and running to be prepared in case of an emergency. Keeping the arsenals open is literally a lifesaving matter. If you do not have trained engineers, trained scientists, trained workers, one cannot have immediate or safe production or security.

Mr. ALLEN of Illinois. Mr. Speaker, I reserve the balance of my time.

Mr. TRIMBLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### COMPLETION OF THE INTER-AMERICAN HIGHWAY

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 495 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill

(H. R. 7870) to amend the act of July 1, 1955, to authorize an additional \$10 million for the completion of the Inter-American Highway. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Illinois [Mr. ALLEN] and at this time yield myself such time as I may consume.

Mr. Speaker, as the reading of the resolution indicated, this resolution makes in order the bill H. R. 7870, which amends Public Law 129 of the 84th Congress by providing an additional \$10 million for the completion of the Inter-American Highway. The resolution provides for an open rule and 2 hours of general debate. I know of no opposition to the resolution. I do not know what may happen when we take up the bill.

I urge the adoption of the resolution.

Mr. ALLEN of Illinois. Mr. Speaker, I reserve the balance of my time.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### LOWER RIO GRANDE REHABILITATION PROJECT, TEXAS, MERCEDES DIVISION

Mr. THORNBERRY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 494 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5309) to authorize the Secretary of the Interior to construct, rehabilitate, operate, and maintain the lower Rio Grande rehabilitation project, Texas, Mercedes division. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. THORNBERRY. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], and at this time yield myself such time as I may consume.

Mr. Speaker, House Resolution 494 makes in order the consideration of H. R. 5309, the Rio Grande rehabilitation project, Texas. The resolution provides for an open rule and 1 hour of general debate.

The bill authorizes \$10,100,000, on the basis of January 1957 prices, for the rehabilitation of the existing irrigation works for the Mercedes division of the Rio Grande project, including repair or replacement of deteriorated canal linings, overhauling of river-pumping plants, rehabilitation of inadequate irrigation and drainage structures, and construction of access roads for maintenance purposes.

The entire cost is allocable to irrigation and with the exception of \$22,000 already contributed by the district for investigation costs, is reimbursable. The bill is amended to make perfectly clear that the cost is to be repaid in accordance with the district's repayment ability within a period of 40 years. Studies indicate that the district will be able to repay in a much shorter period. The committee also amended the bill to provide for the payment of interest by single owners of lands in excess of present reclamation law.

It is estimated that the rehabilitation of this project will save approximately \$100,000 annually in operation, maintenance, and replacement costs and that agricultural income will be increased substantially.

I urge the adoption of House Resolution 494.

Mr. ALLEN of Illinois. Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### HIGHWAY CONSTRUCTION

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 501 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 9821) to amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways. After general debate, which shall be confined to the bill and continued not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, this resolution makes in order the consideration of the usual biennial authorization



for construction of highways. I know of no controversy on it.

Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Speaker, I reserve my time.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### PROHIBITING FUTURES TRADING IN ONIONS

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 376) to amend the Commodity Exchange Act to prohibit trading in onion futures in commodity exchanges.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 376, with Mr. ASPINALL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. COOLEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the purpose of this bill is to amend the Commodity Exchange Act so as to prohibit futures trading in onions. Because of the limited time available for debate, Mr. Chairman, I intend to take only a few minutes and then to ask the gentlewoman from Idaho [Mrs. FROST] the author of the bill, and others who are more closely concerned in this matter, to give the House such detailed explanation as they deem necessary.

Onion futures contracts are traded on only two exchanges in the United States—the Chicago Mercantile Exchange and the New York Mercantile Exchange. The Chicago Exchange started trading in onion futures contracts in 1942 and the great bulk of the onion futures trading is still conducted on that market. The New York Exchange came into the onion business in 1946 and does a relatively small amount of trading in this commodity.

For the past several years there has been a growing conviction among onion producers that price variations in the onion futures market have been adversely affecting the cash price of their product. Violent fluctuations in the futures price of onions have tended to substantiate the position taken by the growers.

In 1950, for example, the March future on the Chicago Mercantile Exchange ranged from a high of \$1.28 to a low of 44 cents for a 50-pound bag of onions during the month of March.

In 1951 the range was from 77 cents to \$2.07.

In 1956, the March future ranged from a seasonal high of \$2.75 per 50-pound bag to 84 cents on March 1, 1956, and a low of 10 cents per bag on March 15.

Price movements of this sort cannot be attributed to supply and demand. It is

clear that speculation, and in some instances manipulation, has been a dominant factor.

Until 1955, the Commodity Exchange Authority—which regulates trading in commodity futures in the United States—had no authority to regulate trading in onion futures. In 1955, however, the Agriculture Committee reported and the Congress enacted a bill placing onion futures under the jurisdiction of the Commodity Exchange Authority. This bill became law on July 26, 1955.

This was recognized at the time as a temporizing measure which might not produce any affirmative results. Trading in potato futures had been under the CEA since 1936 but, nevertheless, conditions in the potato futures market were such that the protests of potato producers against the futures market were almost as loud as those of onion producers against the futures market in their commodity.

Accordingly, on October 27, 1955, I appointed a special subcommittee under the chairmanship of Hon. GEORGE M. GRANT, of Alabama, to study the effect of futures trading on the supplies and the prices of onions and potatoes.

That committee held hearings at Presque Isle, Maine, on December 6 and 7, 1955; at Chicago, Ill., on March 24, 1956; and in Washington on May 16, 17, 18, and 22, 1956.

After hearing testimony not only from producers and representatives of the Commodity Exchanges, but from farm organizations and a number of disinterested witnesses, the subcommittee issued its report in September 1956.

This report said in substance, first, that the basic economic activity involved is the physical production and distribution of onions and potatoes, not the trading in futures contracts for these commodities; second, that gyrations of the futures market have at times adversely affected the cash price of onions and potatoes; and, third, that unless futures markets can be operated in such a way as to prevent injury to the producers of these commodities, futures trading in such commodities should be prohibited altogether.

There was a period of relative stability in the onion futures market following the issuance of this report but about the first of February 1957, bullish activity began on the onion futures market and sent the price up from \$1.15 on January 8 to \$2.20 per 50 pound bag on February 4. Thereafter, the reaction set in sharply and by February 25, March futures had dropped to 87 cents per bag.

These gyrations set off a new wave of producer demands for the complete prohibition of trading in onion futures and hearings were set on this bill and several similar bills.

Testimony at these hearings was of unusually high caliber. Witnesses were almost equally divided between those advocating abolition of futures trading in onions and those who opposed such action. In addition to testimony of those directly interested in the proceedings, independent studies of the relationship between the futures market and the cash price of onions were made at the request of the committee by the Com-

modity Exchange Authority and the Agricultural Marketing Service of the Department of Agriculture.

These studies and the testimony of witnesses for both sides in this controversy substantiated at least the following conclusions:

First. In spite of any improvements in trading practices which may be brought about by the Commodity Exchange Authority or by action of the Exchanges themselves, violent fluctuations in the onion futures market can still take place without any relationship to supply and demand factors.

Second. Although these gyrations of the futures market may not affect the long-run or season average cash price of onions, there is no doubt that they do affect the cash price over short periods of time and have a pronounced effect on the cash onion market, frequently at the very moment when the bulk of onions are moving to market.

Third. While there is some use of the onion futures market for hedging purposes, it is clear that the volume of hedging in this commodity is far lighter than that in many other commodities and that a disproportionately large part of onion futures buying and selling is pure speculation.

It may be argued that the complete prohibition of futures trading in onions is drastic action, and I agree that it is. But if trading in onion futures cannot be handled in such a way as to protect the interests of both the speculators and the onion producers—as apparently it cannot—then I submit that our interest should be to protect the growers of this commodity rather than the speculators.

Mr. Chairman, I now yield 5 minutes to the author of H. R. 376, the gentlewoman from Idaho [Mrs. FROST].

Mrs. FROST. Mr. Chairman, I wish to call to the attention of the Members of the House, the fact that my bill, H. R. 376, has the wholehearted support of at least 95 percent of the onion growers and shippers in the country.

I have no quarrel with the principle of futures trading. I am well aware of the fact that trading in storable, nonperishable commodities renders a real economic service. But futures trading in onions, because of the small volume and perishable nature of the crop is not an economic tool, but a gambling device for professional speculators.

Mr. Chairman, the onion industry is not seeking a subsidy or any other type of Government relief. Its members are simply asking to control their own product. They are requesting that they be freed of the menace of onion futures trading which has been forced upon them without their consent. They want to operate under the law of supply and demand—rather than under the feverish manipulations of speculators in a mercantile exchange hundreds of miles across the country. I do not think this is an unreasonable request. I am sure it is one that this body will recognize as wholly valid and honorable. I ask a favorable vote on the bill.

Mr. Chairman, when we allow trading in onion futures, we condone a practice which takes away from onion producers and shippers the right to control their



129, 84th Congress), is amended by striking out "\$25,730,000" and inserting in lieu thereof "\$35,730,000."

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. IKARD, chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 7870) to amend the act of July 1, 1955, to authorize an additional \$10 million for the completion of the Inter-American Highway, pursuant to House Resolution 495, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2120), a similar bill to H. R. 5309, which was passed this afternoon.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I move to strike out all after the enacting clause of S. 2120 and insert the language of the bill H. R. 5309 as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to vacate the proceedings whereby the bill H. R. 5309 was passed and lay that bill on the table.

The SPEAKER. Is there objection?

There was no objection.

Mr. FALLON. Mr. Speaker, I ask unanimous consent that I may insert in my remarks in Committee of the Whole on the bill H. R. 9821 a statement showing the apportionment to the States of the Federal aid to primary, secondary, and urban extensions.

The SPEAKER. Is there objection?

There was no objection.

#### FEDERAL-AID ROAD ACT

Mr. FALLON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 9821) to amend and supplement the Federal-Aid Road Act approved July 11, 1956, to authorize appropriations for continuing the construction of highways.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 9821, with Mr. MILLER of California in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Maryland [Mr. FALLON] will be recognized for 1 hour; and the gentleman from Ohio [Mr. MCGREGOR], will be recognized for 1 hour.

The Chair recognizes the gentleman from Maryland.

Mr. FALLON. Mr. Chairman, I yield myself such time as I may require.

The CHAIRMAN. The gentleman is recognized.

Mr. FALLON. Mr. Chairman, I would like to make a brief explanatory statement concerning H. R. 9821, which authorizes certain appropriations for fiscal years 1960 and 1961 for roads and streets on the Federal aid primary and secondary systems and urban extensions thereof, and for the so-called public domain roads.

This legislation, approved by your committee after public hearings and earnest study, constitutes the regular, familiar biennial authorization for these Federal-aid programs.

There is nothing new or startling in this bill. It includes no departures from established principles. It is completely in line with past policy.

We have kept this bill simple in scope and free from controversial issues.

It continues the traditional authorization of Federal aid for primary, secondary, and urban highways—which we now commonly refer to as the ABC program; stepping up funds modestly and at the exact rate of increase approved 2 years ago in the Federal Aid Highway Act of 1956.

The 1956 act established these ABC authorizations: Fiscal year 1957, \$825 million; 1958, \$850 million; 1959, \$875 million.

The bill before the House today continues this rate of mild increases, providing authorizations for fiscal year 1960 of \$900 million and for 1961 of \$925 million.

These authorizations of Federal funds will be apportioned to the States by the Secretary of Commerce according to the existing distribution formula based on one-third population, one-third area, and one-third mileage.

The increases in authorizations follow the intent of the House as expressed in the highway bill as it passed the House in April 1956. At that time the House approved this language:

Recognizing it to be in the national interest to foster and accelerate the construction of a safe and efficient system of Federal-aid highways in each State, it is hereby declared to be the intent of Congress progressively to increase the annual sums herein authorized, for construction of projects on the Federal-aid primary and secondary systems and approved extensions thereof in urban areas, by amounts which in each succeeding year shall provide an increase over the total amounts authorized for each immediately preceding year of not less than \$25 million, commencing with the fiscal year ending June 30, 1960, and continuing such progression in each of the succeeding fiscal years, through the fiscal year ending June 30, 1969.

Mr. Chairman, your committee believes firmly that a gradual acceleration in Federal aid for the ABC program,

where every Federal dollar is matched with a State dollar, is of paramount importance. Such increases tend to keep road construction on Federal-aid primary and secondary roads in balance with the massive work being accomplished on interstate expressways. If the ABC authorizations were to be frozen at the present level, or approximately at the present level, an imbalance would result. This must not be permitted to happen.

We need improvement of our major State primary highways, city routes, and farm-to-market roads not only for the obvious reasons of human safety and convenience but as feeders to the national defense expressways we are building from coast to coast. If we do not provide a network of safe, adequate primary and secondary roads, the big interstate arteries can never accomplish the full transportation purpose for which they are being built. Both of these roadbuilding programs are urgently important; both must go ahead together.

The work which will go forward under the terms of this bill will be practically all done under the competitive contract method, and over 90 percent of these Federal funds will go directly into job-producing construction. This means that less than 10 percent will be expended for rights-of-way and advance engineering.

With respect to the so-called public domain roads, this bill continues for each of the fiscal years 1960 and 1961 the identical authorizations, with one exception, which were approved in the Highway Act of 1956. This single exception is that the present annual authorization of \$27 million for forest development roads and trails has been increased to \$28.5 million. The public domain roads, which include forest highways, forest roads and trails, park roads, parkways, Indian roads and public lands roads, would receive total annual authorizations of \$104.5 million.

Mr. Chairman, I again state, there is nothing complex or controversial about the bill, H. R. 9821, now under consideration. Simply stated, section 1 of H. R. 9821 would continue the traditional program of Federal assistance to the States for the improvement of the Federal-aid primary and secondary systems, together with urban extensions thereof for the fiscal years 1960 and 1961. This section would authorize the appropriation of \$900 million for the fiscal year 1960 and \$925 million for the fiscal year 1961 to be distributed as heretofore in the ratio of 45 percent for primary roads, 30 percent for secondary roads, and 25 percent for urban extensions. The funds would be made available for 2 years after the close of the fiscal year for which such funds are authorized. Any apportioned amounts unexpended at the end of such period would lapse. Section 1 (b) of the bill would carry forward the existing law which enables the Secretary of Commerce, upon the request of any State, to approve projects on the Federal Aid Secondary Highway System upon certification by the State highway department that such projects will be



constructed in accordance with the standards and procedures of such State applicable to projects in this category.

Section 2 of the bill would authorize the continuation of appropriations for forest highways in the present amount of \$30 million for each of the fiscal years 1960 and 1961. The authorization for forest development roads and trails has been increased over the present level of \$27 million to \$28,500,000 for each of the fiscal years 1960 and 1961.

Section 3 of the bill provides for the continuation of the development of roads and trails in national parks, parkways, and Indian reservation roads in the same amounts as those authorized for the fiscal years 1958 and 1959. Under this section the following authorizations are provided for each of the fiscal years 1960 and 1961: roads and trails, \$16 million; parkways, \$16 million; and Indian roads, \$12 million.

Section 4 of the bill would continue the current level of authorizations for public lands highways for each of the fiscal years 1960 and 1961 in the amount of \$2 million per year.

Section 5 provides that the funds authorized under sections 2, 3, and 4 shall be available for contract upon apportionment, or a date not earlier than 1 year preceding the beginning of the fiscal year for which authorized, if no apportionment is required. These provisions merely carry forward existing law.

Section 6 provides that existing provisions of the Federal Aid Road Act of 1916, together with all acts amendatory thereof or supplementary thereto, not inconsistent with H. R. 9821, shall remain in full force and effect.

Section 7 designates the short title of the bill as the "Federal Highway Act of 1958."

Mr. Chairman, that is the substance of H. R. 9821, the biennial Federal-aid highway bill recommended by your committee.

I cannot emphasize too strongly the soundness of the expenditures which will flow from this legislation. The projects that will be built will be located throughout the length and breadth of the United States, in practically every county and village. The approximately \$1.8 billion in Federal and State funds for ABC roads that will be invested in fiscal year 1960 and the \$1.85 billion that will be invested in fiscal year 1961, under these proposed authorizations, will go into widely scattered work projects that will produce a maximum contribution to the Nation's economy.

*Approximate apportionment of Federal-aid primary, secondary and urban funds for the fiscal year 1960 pursuant to H. R. 9821*  
(In thousands of dollars)

State	Primary	Secondary	Urban	Total
Alabama.....	8,571	6,665	2,965	18,201
Arizona.....	5,907	4,027	880	10,814
Arkansas.....	6,629	5,337	1,266	13,232
California.....	19,456	10,091	20,118	49,665
Colorado.....	7,316	4,886	1,881	14,083
Connecticut.....	2,667	1,350	4,383	8,400
Delaware.....	2,025	1,350	464	3,839
Florida.....	6,453	4,214	4,058	14,725
Georgia.....	9,738	7,482	3,298	20,518
Idaho.....	4,941	3,480	436	8,857
Illinois.....	15,704	8,525	15,827	40,056

*Approximate apportionment of Federal-aid primary, secondary and urban funds for the fiscal year 1960 pursuant to H. R. 9821—Continued*

(In thousands of dollars)				
State	Primary	Secondary	Urban	Total
Indiana.....	9,502	6,555	5,414	21,471
Iowa.....	9,505	6,985	2,687	19,177
Kansas.....	9,490	6,661	2,127	18,278
Kentucky.....	7,482	6,230	2,350	16,062
Louisiana.....	6,302	4,567	3,318	14,187
Maine.....	3,348	2,401	946	6,695
Maryland.....	3,749	2,297	3,841	9,887
Massachusetts.....	5,292	1,978	9,420	16,690
Michigan.....	12,823	7,823	10,533	31,179
Minnesota.....	10,423	7,367	3,685	21,475
Mississippi.....	7,118	5,971	1,253	14,342
Missouri.....	11,491	7,778	5,574	24,843
Montana.....	8,114	5,585	533	14,232
Nebraska.....	7,948	5,639	1,327	14,914
Nevada.....	5,075	3,392	172	8,639
New Hampshire.....	2,025	1,350	670	4,045
New Jersey.....	5,354	1,806	9,907	17,067
New Mexico.....	6,453	4,438	743	11,634
New York.....	19,731	7,991	30,250	57,972
North Carolina.....	10,013	8,590	2,908	21,511
North Dakota.....	5,647	4,121	383	10,151
Ohio.....	14,081	8,544	13,096	35,721
Oklahoma.....	8,607	6,173	2,473	17,253
Oregon.....	6,739	4,719	1,815	13,273
Pennsylvania.....	16,362	9,744	17,133	43,239
Rhode Island.....	2,025	1,350	1,618	4,993
South Carolina.....	5,369	4,474	1,557	11,400
South Dakota.....	6,141	4,400	440	10,981
Tennessee.....	8,632	6,761	3,273	18,666
Texas.....	26,302	17,609	10,842	54,753
Utah.....	4,567	3,020	959	8,546
Vermont.....	2,025	1,350	352	3,727
Virginia.....	7,702	5,999	3,529	17,230
Washington.....	6,805	4,545	3,415	14,765
West Virginia.....	4,405	3,852	1,473	9,730
Wisconsin.....	9,443	6,597	4,432	20,472
Wyoming.....	5,065	3,434	246	8,745
Hawaii.....	2,025	1,350	761	4,136
District of Columbia.....	2,025	1,350	1,955	5,330
Puerto Rico.....	2,126	2,226	1,945	6,297
Alaska.....	8,262	5,571	69	13,902
Total.....	405,000	270,000	225,000	900,000

*Approximate apportionment of Federal-aid primary, secondary and urban funds for the fiscal year 1961 pursuant to H. R. 9821*

(In thousands of dollars)				
State	Primary	Secondary	Urban	Total
Alabama.....	8,809	6,850	3,047	18,706
Arizona.....	6,071	4,138	905	11,114
Arkansas.....	6,813	5,485	1,301	13,599
California.....	19,997	10,372	20,677	51,046
Colorado.....	7,519	5,022	1,933	14,474
Connecticut.....	2,741	1,387	4,505	8,633
Delaware.....	2,081	1,387	477	3,945
Florida.....	6,632	4,331	4,171	15,134
Georgia.....	10,009	7,689	3,390	21,088
Idaho.....	5,078	3,577	448	9,103
Illinois.....	16,140	8,762	16,267	41,169
Indiana.....	9,766	6,737	5,565	22,068
Iowa.....	9,769	7,179	2,761	19,709
Kansas.....	9,753	6,846	2,186	18,785
Kentucky.....	7,690	6,403	2,416	16,509
Louisiana.....	6,477	4,694	3,410	14,581
Maine.....	3,441	2,468	972	6,881
Maryland.....	3,854	2,361	3,948	10,163
Massachusetts.....	5,439	2,033	9,681	17,153
Michigan.....	13,180	8,040	10,826	32,046
Minnesota.....	10,712	7,572	3,788	22,072
Mississippi.....	7,316	6,137	1,288	14,741
Missouri.....	11,810	7,994	5,728	25,532
Montana.....	8,339	5,740	548	14,627
Nebraska.....	8,169	5,796	1,364	15,329
Nevada.....	5,216	3,486	177	8,879
New Hampshire.....	2,081	1,387	689	4,157
New Jersey.....	5,502	1,856	10,182	17,540
New Mexico.....	6,633	4,562	763	11,958
New York.....	20,279	8,213	31,090	59,582
North Carolina.....	10,291	8,828	2,989	22,108
North Dakota.....	5,804	4,235	393	10,432
Ohio.....	14,472	8,782	13,460	36,714
Oklahoma.....	8,847	6,345	2,541	17,733
Oregon.....	6,926	4,850	1,865	13,641
Pennsylvania.....	16,816	10,015	17,609	44,440
Rhode Island.....	2,081	1,387	1,663	5,131
South Carolina.....	5,518	4,599	1,600	11,717
South Dakota.....	6,312	4,522	452	11,286
Tennessee.....	8,872	6,949	3,364	19,185
Texas.....	27,033	18,099	11,143	56,275
Utah.....	4,694	3,104	986	8,784
Vermont.....	2,081	1,387	362	3,830
Virginia.....	7,916	6,166	3,627	17,709
Washington.....	6,994	4,671	3,510	15,175
West Virginia.....	4,527	3,960	1,514	10,001

*Approximate apportionment of Federal-aid primary, secondary and urban funds for the fiscal year 1961 pursuant to H. R. 9821—Continued*

(In thousands of dollars)				
State	Primary	Secondary	Urban	Total
Wisconsin.....	9,706	6,780	4,555	21,041
Wyoming.....	5,206	3,529	253	8,988
Hawaii.....	2,081	1,387	782	4,250
District of Columbia.....	2,081	1,387	2,009	5,477
Puerto Rico.....	2,185	2,288	1,999	6,472
Alaska.....	8,491	5,726	71	14,288
Total.....	416,250	277,500	231,250	925,000

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Chairman, I would like to make this observation of the splendid work that the chairman of the subcommittee, the gentleman from Maryland [Mr. FALLON], has done on this bill. It has been readily accepted by all of the members of the committee. It is a piece of legislation displaying profound knowledge of the subject, and I wish to congratulate the chairman on the excellent bill that he has brought before the committee today.

Mr. FALLON. I thank the gentleman.

(Mr. FALLON asked and was given permission to revise and extend his remarks.)

Mr. MCGREGOR. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, I want to join in the statement the gentleman from Alabama made with respect to our distinguished chairman of the subcommittee, the gentleman from Maryland [Mr. FALLON]. The committee has put a great deal of time into this legislation, and it has been very thoroughly explained. It is simply a continuation of the existing law plus the \$25 million that was established in the 1956 Highway Act for additions per year. And we have the same formula of distribution. I hope this committee will pass the bill unanimously so that it can go to conference, because this road program is badly needed.

Mr. Chairman, I hope the bill will pass by unanimous vote.

(Mr. JONES of Alabama asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. JONES of Alabama. Mr. Chairman, we are now in the early stage of a massive highway program set in motion by an act of Congress in 1956. Under the expanded Federal-aid program approved in 1956 by Congress, the total Federal and State funds for road building are divided about equally between the Federal-aid program for primary, secondary, and urban roads and the greatly increased interstate program. Included now in our total Federal-aid program are about 755,000 miles of roads. About three-fourths, or over one-half million miles, of the total Federal-aid mileage is on the secondary system.

Since enactment of the 1956 act the spotlight has been on the Interstate System. I recognize the importance of this system and the need for completing it, but I feel we must be careful not to over-



emphasize the improvement of this system to the point where we lose sight of the validity of the ABC program.

Let me make that a little stronger: I favor construction of the coast-to-coast expressways but not at the sacrifices of farm-to-market roads, primary routes, and city streets.

I want to compliment Congressman FALLON, Chairman of our Subcommittee on Roads, for the ABC bill he has introduced. It provides for an increase in Federal aid for the ABC system from \$875 million in 1959 to \$900 million in 1960 and \$925 million in 1961.

In introducing his bill, Congressman FALLON cited the importance of modern designed rural roads and city streets and emphasized the essentiality of these highways to the national defense, especially as feeders to the interstate expressways. He stated further that the Interstate System would lose much of its utility and strategic value if it was not interconnected with a web of adequate primary and secondary roads. I concur.

All interstate traffic will originate or terminate on our primary, secondary, or local road systems. Across America there are 387,000 miles of State primary highways, 220,000 miles of State secondary highways, 2,333,000 miles of county and other local rural roads, and 373,000 miles of city streets. In addition, there are 103,000 miles of roads in Federal parks, forests, Indian reservations, and the like. That adds up to 3,418,000 miles.

This total mileage includes roads of all descriptions, ranging from mere trails to the most modern expressways. Traffic may range from nearly zero to 100,000 vehicles per day. You are well aware that the great bulk of the Nation's highways are the responsibility of county and local governments.

This highway system has become our lifeline. It keeps raw materials flowing to industry and industry's products flowing to market.

The 41,000 mile Interstate System will pass through 37 percent of the Nation's most populous counties. It will pass through or close by nearly every major city of the United States. Between cities the connecting roads at access points will become attractive locations for commercial enterprises. If such commercial development takes place without coordination and planning, these points of access may become traffic bottlenecks.

In this area we will need the closest kind of cooperation between the Federal, State, and county units of government. The travel pattern of the affected counties may be drastically changed. Contiguous counties will often be affected, also.

The Interstate System will be constructed to the highest standards known to the engineering profession and it may be expected that considerable pressure will be put upon county road administrators to improve their roads to higher standards to accommodate the heavier traffic which will move to and from the Interstate Highways. Innumerable county roads intersecting the right of way of the Interstate System will be

blocked off at that point and where it is not feasible to build an underpass or overpass, it will be necessary to construct or reconstruct parallel roads to carry added traffic to the point of access.

There also will be need for coordinated planning at the access points to the Interstate System. Where such construction or reconstruction is made necessary by the building of the Interstate System, it seems reasonable to me that such improvements should be financed with interstate or ABC Federal-aid funds.

I am glad to note in a recent statement by Federal Highway Administrator Tallamy that he has approved the reappointment at the Bureau of Public Roads of a Board of County Engineer Consultants.

He has stated that the purpose of this Board will be to promote better mutual understanding between the counties, the State highway departments, and the Bureau of Public Roads with regard to the Federal-aid highway program.

I am confident that this Board will render a valuable service and, through cooperation with the Bureau and the States, will be able to find a solution to their problems.

In recent months, our State highway departments have made marked progress in increasing productivity of their engineers through the use of modern techniques and equipment. I believe the counties are equally in need of improvement and States should, wherever possible, extend use of these facilities to them.

To me it seems feasible to undertake the establishment of electronic computer service centers on a statewide basis. In this manner the great savings in manpower and money by utilization of electronic computations could be made readily to the local units of Government.

(Mr. DAVIS of Tennessee asked and was given permission to extend his remarks at this point in the RECORD.)

[Mr. DAVIS of Tennessee addressed the Committee. His remarks will appear hereafter in the Appendix.]

(Mr. SCUDDER asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SCUDDER. Mr. Chairman, H. R. 9821, which we have before us today, is one of the most important bills that has thus far come before the Congress for the stimulation of the economy in our own country. When the Highway Act of 1956 was put into effect, we appropriated \$900 million for each fiscal year ending June 30, 1958—this fund to be matched with the various States for the construction of highways. In the original provisions of the bill, we provided that the sum of \$25 million would be added to each fiscal year, and this bill provides a \$25 million increase for June 30, 1959, and \$25 million for June 30, 1960. This will step up highway construction throughout the entire country.

We did increase the money for fiscal year 1960 and 1961 to provide \$28,500,000 instead of \$27 million for each of these 2 fiscal years. This will assist in the development of our forest roads which are primarily built for getting out Federal timber which is a further aid to our economy.

Other appropriations go to Indian lands and reservations and other public domains and we are also providing for the full acceleration of the Interstate Highway System which contemplates the spending of all moneys collected from excise taxes that are linked to the highway program.

The passage of this legislation will stimulate the economy of our country and I am very happy to recommend its passage.

Mr. FALLON. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.—*

#### FEDERAL-AID HIGHWAYS

SECTION 1. (a) (1) Authorization of appropriations: For the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated the sum of \$900 million for the fiscal year ending June 30, 1960; and the sum of \$925 million for the fiscal year ending June 30, 1961. The sums herein authorized for each fiscal year shall be available for expenditure as follows:

(A) 45 percent for projects on the Federal-aid primary highway system.

(B) 30 percent for projects on the Federal-aid secondary highway system.

(C) 25 percent for projects on extensions of these systems within urban areas.

(2) Apportionments: The sums authorized by this section shall be apportioned among the several States in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838).

(b) Availability for expenditure: Any sums apportioned to any State under this section shall be available for expenditure in that State for 2 years after the close of the fiscal year for which such sums are authorized, and any amounts so apportioned remaining unexpended at the end of such period shall lapse: *Provided*, That such funds shall be deemed to have been expended if a sum equal to the total of the sums herein and heretofore apportioned to the State is covered by formal agreements with the Secretary of Commerce for construction, reconstruction, or improvement of specific projects as provided in this title and prior acts: *Provided further*, That in the case of those sums heretofore, herein, or hereafter apportioned to any State for projects on the Federal-aid secondary highway system, the Secretary of Commerce may, upon the request of any State, discharge his responsibility relative to the plans, specifications, estimates, surveys, contract awards, design, inspection, and construction of such secondary road projects by his receiving and approving a certified statement by the State highway department setting forth that the plans, design, and construction for such projects are in accord with the standards and procedures of such State applicable to projects in this category approved by him: *Provided further*, That such approval shall not be given unless such standards and procedures are in accordance with the objectives set forth in section 1 (b) of the Federal-Aid Highway Act of 1950: *And provided further*, That nothing contained in the foregoing provisos shall be construed to relieve any State of its obligation now provided by law relative to maintenance, nor to relieve the Secretary of Commerce of his obligation with respect to the selection of the secondary system or the location of projects thereon,



to make a final inspection after construction of each project, and to require an adequate showing of the estimated and actual cost of construction of each project. Any Federal-aid primary, secondary, or urban funds released by the payment of the final voucher or by modification of the formal project agreement shall be credited to the same class of funds, primary, secondary, or urban, previously apportioned to the State and be immediately available for expenditure.

#### FOREST HIGHWAYS AND FOREST DEVELOPMENT ROADS AND TRAILS

SEC. 2. (a) Authorization of appropriations: For the purpose of carrying out the provisions of section 23 of the Federal Highway Act of 1921 (42 Stat. 218), as amended and supplemented, there is hereby authorized to be appropriated (1) for forest highways the sum of \$30,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961; and (2) for forest development roads and trails the sum of \$27,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961: *Provided*, That with respect to any proposed construction or reconstruction of a timber access road, advisory public hearings shall be held at a place convenient or adjacent to the area of construction or reconstruction with notice and reasonable opportunity for interested persons to present their views as to the practicability and feasibility of such construction or reconstruction: *Provided further*, That hereafter funds available for forest highways and forest development roads and trails shall also be available for adjacent vehicular parking areas and for sanitary, water, and fire-control facilities: *And provided further*, That the appropriation herein authorized for forest highways shall be apportioned by the Secretary of Commerce for expenditure in the several States, Alaska, and Puerto Rico in accordance with the provisions of section 3 of the Federal-Aid Highway Act of 1950.

#### ROADS AND TRAILS IN NATIONAL PARKS, AND SO FORTH

SEC. 3. (a) National parks, and so forth: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and, national park and monument approach roads authorized by the act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of \$16,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961.

(b) Parkways: For the construction, reconstruction, and improvement of parkways, authorized by acts of Congress, on lands to which title is vested in the United States, there is hereby authorized to be appropriated the sum of \$16,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961.

(c) Indian reservations and lands: For the construction, improvement, and maintenance of Indian reservation roads and bridges and roads and bridges to provide access to Indian reservations and Indian lands under the provisions of the act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of \$12,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961: *Provided*, That the location, type and design of all roads and bridges constructed shall be approved by the Secretary of Commerce before any expenditures are made thereon, and all such construction shall be under the general supervision of the Secretary of Commerce.

#### PUBLIC LANDS HIGHWAYS

SEC. 4. For the purpose of carrying out the provisions of section 10 of the Federal-Aid

Highway Act of 1950 (64 Stat. 785), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, non-taxable Indian lands, or other Federal reservations the sum of \$2,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961.

#### SPECIAL PROVISIONS FOR FEDERAL DOMAIN ROADS, AND SO FORTH

SEC. 5. Any funds authorized herein for forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public lands highways shall be available for contract upon apportionment, or a date not earlier than 1 year preceding the beginning of the fiscal year for which authorized if no apportionment is required: *Provided*, That any amount remaining unexpended 2 years after the close of the fiscal year for which authorized shall lapse. The Secretary of the Department charged with the administration of such funds is hereby granted authority to incur obligations, approve projects, and enter into contracts under such authorizations, and his action in doing so shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and such funds shall be deemed to have been expended when so obligated. Any funds heretofore, herein, or hereafter authorized for any fiscal year for forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public lands highways shall be deemed to have been expended if a sum equal to the total of the sums authorized for such fiscal year and previous fiscal years since and including the fiscal year ending June 30, 1955, shall have been obligated. Any of such funds released by payment of final voucher or modification of project authorization shall be credited to the balance of unobligated authorizations and be immediately available for expenditure.

#### RELATIONSHIP OF THIS ACT TO OTHER ACTS; EFFECTIVE DATE

SEC. 6. All provisions of the Federal-Aid Road Act approved July 11, 1916, together with all acts amendatory thereof or supplementary thereto, not inconsistent with this act, shall remain in full force and effect and be applicable hereto. All acts or parts of acts in any way inconsistent with the provisions of this act are hereby repealed. This act shall take effect on the date of enactment.

#### SHORT TITLE

SEC. 7. This act may be cited as the "Federal Highway Act of 1958".

With the following committee amendment:

Page 4, line 15, strike out "\$27,000,000" and insert "\$28,500,000."

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLER of California, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 9821) to amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways pursuant to House Resolution 501, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE TO EXTEND

Mr. FALLON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, in authorizing appropriations of \$900 million for the fiscal year 1960 and \$925 million for the fiscal year 1961 for the Federal-aid primary, secondary road systems and their urban extensions, the House acted with prophetic prudence.

In doing so, the House actually approved a long-range, balanced and accelerated construction program, which we hope will produce as quickly as possible the kind of roads our country needs for its future economic growth, the safety of our people in traffic and the possible needs of our national defense.

It is of extreme importance that we keep our national highway system in balance. There is an understandable tendency to give more attention to the National System of Interstate and Defense Highways, because of the glamour it has as the biggest peacetime public works program ever undertaken anywhere and because of its great promise. But to neglect development and improvement of our existing system of primary, farm-to-market roads and their extensions into urban areas would be utmost folly. This action by the House indicates that there is widespread knowledge of the need for a balance in our highway building and rebuilding.

Passage of this bill is a positive step toward insuring satisfactory progress to modernizing our existing highways to have them ready to carry their proportionate share of the future traffic of the country. Our so-called ABC roads have a total mileage of 680,000 miles, but when completed the Interstate Highway System will have only 41,000 miles.

The completed Interstate System will comprise only 1.2 percent of the country's total road mileage, but will carry about 20 percent of all motor vehicle mileage. However, the national system of superhighways will not be able to function efficiently, if our ABC roads as feeder and interconnecting routes, are not modernized.

There are many places in the country, where new primary and secondary roads are needed, because of rapid population and industrial growth in recent years. But our greatest need is to bring these existing highways up to modern standards to match the modern vehicles



which use them. The funds authorized will make possible the elimination of narrow roads, soft shoulders, narrow bridges and traffic lanes, eliminate some of the dangerous 227,000 railroad crossings and curves, which each year take a toll of lives.

The benefits from safe highways of modern design are so great in terms of lives saved, accidents prevented, property damage reduced, and pleasanter driving that we seem to have realized suddenly that much better highways are imperative. Our country cannot afford to be without them.

Considering the enormous benefits which will accrue to millions of our people using these highways, an increase in authorizations for the ABC roads is really a modest one. It amounts to only 2.86 percent for 1960 over 1959 and 2.78 percent for 1961 over 1960.

But, without these increases, our roads program might not have gone forward. We would have had difficulty in holding our own against the rising tide of traffic and construction prices. In making these increases possible, the House acted wisely and well.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate disagrees to the amendments of the House to the bill (S. 497) entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CHAVEZ, Mr. KERR, Mr. GORE, Mr. MARTIN of Pennsylvania, and Mr. CASE of South Dakota to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 162. Joint resolution to stay any reduction in support prices or acreage allotments until Congress can make appropriate changes in the price support and acreage allotment laws.

#### INVESTMENT BY AIR CARRIERS OF PROCEEDS FROM SALE OF CERTAIN EQUIPMENT

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 5822, to amend section 406 (b) of the Civil Aeronautics Act of 1938 with respect to the reinvestment by air carriers of the proceeds from the sale or other disposition of certain operating property and equipment, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. HARRIS, ROBERTS, ROGERS of Texas, FRIEDEL, WOLVERTON, O'HARA of Minnesota, and HALE.

#### RIVERS AND HARBORS AND FLOOD CONTROL ACT

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 497) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, with House amendments thereto, insist on the House amendments and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. DAVIS of Tennessee, BLATNIK, JONES of Alabama, MCGREGOR, and MACK of Washington.

#### PROGRAM FOR NEXT WEEK

(Mr. ARENDS asked and was given permission to address the House for 1 minute.)

Mr. ARENDS. Mr. Speaker, I ask for this time to inquire of the majority leader if he would advise us on the program for next week.

Mr. McCORMACK. I should be very happy to. On Monday, as announced previously, there will be just the Consent Calendar.

On Tuesday there will be the Private Calendar. Then H. R. 8547, a bill out of the Committee on Armed Services, for the disposal of certain uncompleted vessels. Following that, H. R. 8361, a bill relating to the alleged abuse of the writ of habeas corpus.

On Wednesday there will be five suspensions, and I am not saying that necessarily they will be brought up in the order in which I am listing them:

H. R. 9369, to refund certain insurance premiums.

S. 235, a bill relating to the increase of compensation for the widows of employees of the Lighthouse Service.

House Concurrent Resolution 285, relating to the acceleration of civilian construction programs.

House Concurrent Resolution 286, concerning the acceleration of military-construction programs.

H. R. 11378, the Impacted School Districts bill.

Then there is H. R. 8290, the Freedom Monument bill.

I make the usual reservation as to the program, that any changes in the program, including additions, I will announce later, and that conference reports may be brought up at any time.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Iowa.

Mr. GROSS. Will H. R. 11378 and H. R. 8290 come up under suspension as well as the preceding bills?

Mr. McCORMACK. Not H. R. 8290. I thank the gentleman very much for calling that to my attention. That will come up under a rule. That was programmed before but not taken up. The list of suspensions ends with the impacted school districts bill.

Mr. HOLT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from California.

Mr. HOLT. Is my understanding correct that the impacted school districts bill is coming up?

Mr. McCORMACK. Under suspension, yes.

Mr. HOLT. There is opposition to that. I do not think it is proper for it to come up under suspension. It is very poorly drawn legislation as it stands now, and works against the Army and Navy in one particular section. I hate to see the House left in that position.

Mr. McCORMACK. I have announced the program, and have programmed that bill as one of the suspensions. While I appreciate the observation of the gentleman, the announcement I made stands for the time being, at least. Of course, there may be opposition, but there might not be sufficient opposition to prevent there being a two-thirds majority. One can never tell. Between now and next Wednesday we can look into the situation.

Mr. ARENDS. In view of the fact that we have completed action on these various bills today, do we have anything for tomorrow?

Mr. McCORMACK. No.

#### ADJOURNMENT UNTIL MONDAY NEXT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### SIGNING OF ENROLLED BILLS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next the Clerk be authorized to receive messages from the Senate and the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### SECOND ANNUAL UNITED STATES WORLD TRADE FAIR IN NEW YORK CITY

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table, the joint resolution (H. J. Res. 509) authorizing the President to invite the States of the Union and foreign countries to participate in the second annual United States World Trade Fair to be held in New York City, N. Y., from May 7 to 17, 1958, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the joint resolution.



The Clerk read the Senate amendment as follows:

Page 2, line 4, strike out all after "commerce" down to and including "City" in line 9.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GROSS. Mr. Speaker, reserving the right to object, as I understand it this is a bill which was passed on the Consent Calendar today when I offered an amendment which was unanimously adopted by the House and now the other body has stricken the amendment out of the resolution?

Mr. MORGAN. That is correct.

Mr. GROSS. The amendment provided that no funds would be used from the Treasury of the United States to transport foreigners or otherwise assist them to attend this fair; is this correct?

Mr. MORGAN. That is correct.

Mr. GROSS. And the gentleman is now asking unanimous consent to pass the resolution despite the fact the other body has stricken the amendment which was adopted in the House?

Mr. MORGAN. That is right, sir.

Mr. GROSS. But, the assurance apparently has been given that no funds will be expended from the Treasury of the United States for that purpose?

Mr. MORGAN. That assurance has been given by the Department of State.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

#### CIVIL AERONAUTICS BOARD INVESTIGATION OF AIRPLANE ACCIDENTS

(Mr. LANE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANE. Mr. Speaker, a little more than 1 mile after takeoff a plane bound for Miami, out of LaGuardia, crashed with a loss of 20 lives out of the 101 persons aboard. This commercial airline tragedy took place on February 1, 1957.

The Civil Aeronautics Board, which has been investigating this accident in order to determine its cause, reported its findings on March 10, 1958. Thirteen months is a long time to spend on such a search, when compared with investigations of other plane crashes that occurred in remote areas but were thoroughly probed as to their probable cause within a few months.

Is the Civil Aeronautics Board bogging down in red tape? Are any other influences at work to delay or slant its findings?

The extreme lapse of time in this case impels us to investigate, in turn, the operations of this independent agency to make certain that it is not carrying out its serious responsibilities in a merely routine manner. When human lives are

involved we cannot be satisfied with the bureaucratic approach which, at times, goes through the motions in a half-hearted way. We must be sure.

I quote from the report on the Rikers Island crash:

The Board determines that the probable cause of the accident was the failure of the captain to (1) properly observe and interpret his flight instruments, and (2) maintain control of his aircraft.

Why were signs of this human failure not detected in advance, in view of the captain's age, and the fact that even though he had logged 16,630 pilot hours as a plane commander he only had 85 of them with big DC-6 equipment?

Is there adequate inspection of personnel before and not after fatal accidents to eliminate, insofar as possible, every danger of human error?

With plane travel increasing steadily and approaching the saturation point near major eastern airports, we are duty bound to insist on prompt and efficient controls.

It is not my purpose to criticize the personnel of the Civil Aeronautics Board on general terms and without giving them an opportunity to tell their side of the story, because I am aware of the awesome responsibility that they labor under. But I am perturbed by what seems to me the excessive time that was consumed before reporting its findings on the Rikers Island crash.

In the jet-age of plane travel we cannot afford to let the human factors follow a pedestrian course. There is so much that must be learned and applied, as soon as possible, for the maximum protection of plane passengers and crews.

Therefore, I am requesting the House Committee on Interstate and Foreign Commerce to thoroughly explore the standards and procedures of the Civil Aeronautics Board to determine how they may be improved for the protection of the plane-traveling public.

#### THE TUNAFISHING INDUSTRY

Mr. WILSON of California. Mr. Speaker, I rise today to speak in behalf of the tunafishing industry of the United States, the largest part of which is concentrated in my district of San Diego.

Most people associate the name San Diego with the Atlas missile and our great aircraft-construction industry. Others associate it with the great Navy and Marine bases located in my district which so profoundly affect the defense of the free world in the Pacific.

But we are not exclusively devoted to the military arts in San Diego. San Diego is also by far the largest food-fish-producing port in the United States and has been so for a number of years. Last year our vessels landed \$28 million worth of fish, of which \$26 million was tuna. The San Pedro fleets, next in size in the United States, landed \$13,440,000 worth of fish and more than half of it was also tuna. By comparison the third largest food-fishing port in this Nation last year was New Bedford, Mass., whose vessels landed \$13,340,000 worth of fish. As a matter of fact, the value of fish

landed in 1957 by San Diego vessels came within \$4 billion of equaling the value of the combined landings at the third, fourth, and fifth most important food-fish ports of the United States, which were New Bedford, Boston, and Gloucester.

You will find that the Government statistics erroneously reverse the top position of San Diego and San Pedro as food-fish ports. They do this because we take nearly half of the fish our San Diego fishermen catch up to Mr. King's district for canning and the Government liberally gives the credit for our catches to San Pedro.

This is not the only symptom of the Government's liberality toward this Nation's most valuable fishery. For the past 10 years we have been in a constant, steady fight to keep from losing our high-seas fishing grounds to other countries on the one hand, and to keep from losing our markets for tuna in the United States to foreign fishermen on the other hand.

Whatever differences Mr. King and I may have in other fields of action, and however much we may dispute over whose district contains the most valuable food fishery of the United States, we see eye to eye in fighting to prevent the loss of the most valuable food fishery of the United States—the tuna fishery of the eastern Pacific Ocean. To this end we, together with Congressmen UTT and TOLLEFSON, have introduced the Tuna Import Act of 1958 in this House, and Senators KUCHEL and MAGNUSON have jointly introduced similar legislation on the Senate side.

The purpose of this act is to stabilize, not cut back, tuna imports at their present level. It will not keep tuna imports from increasing. It will keep them from increasing faster than the canned tuna market in the United States grows. It will assure American fishermen their fair share of the future market increases.

There is no tariff or quota protection on frozen tuna. Frozen tuna is one of a very few important items on the free list of imports into the United States, since this free list is mainly composed of items not produced in this country.

The reason for this act is to keep the tuna fishing industry from disappearing. In 1950 tuna boats brought \$42 million worth of new wealth into San Diego alone; in 1957 they brought in less than \$26 million worth of tuna. In 1952 we had 214 tuna clippers fishing out of San Diego; in 1957 there were 150; and at this time there are 139. The same thing has been going on in San Pedro where there were 120 purse seiners fishing for tuna in 1950, 60 in 1957, and 45 this year. The same thing has been going on with the big fleet of little albacore tuna vessels. There were about 3,000 of these out fishing from all of the west-coast ports in 1952, and last year there were less than 1,000.

The sales of canned tuna in the United States has increased by 50 percent since 1950. But in this same time tuna production by all domestic vessels has declined 25 percent, tuna prices to the fishermen have gone down 18 percent despite steadily increasing costs of







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued March 17, 1958  
For actions of March 14, 1958  
85th-2d, No. 41

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HIGHLIGHTS: Senate committee ordered reported road authorization bill. Sen. Proxmire criticized USDA farm income figures. Sen. Symington introduced and discussed bill to maintain adequate supply of anti-hog-cholera serum and hog-cholera virus. Sen. Capehart and 27 other Senators introduced and Sen. Capehart discussed bill to provide for conversion of CCC surplus grain into industrial alcohol for stockpiling purposes.

## SENATE

1. ROADS. The Public Works Committee ordered reported with amendments S. 3414, to authorize appropriations for road construction (p. D212). The "Daily Digest" states the Committee action as follows:

"As approved by the committee, major provisions of the bill would: (1) authorize \$900 million for primary, secondary, and urban systems for each of fiscal years 1960 and 1961, (2) authorize additional \$400 million for primary, secondary, and urban systems for fiscal 1959, which moneys would be required to be under contract by December 1, 1958, for completion by December 1, 1959, to be available on a 70 percent Federal-30 percent State matching basis, and would provide that any State may borrow up to two-thirds of its 30 percent out of fiscal 1961 and 1962 apportionments, (3) authorize \$36 million for continuing work on forest highway systems in each of fiscal years 1960 and 1961, (4) authorize \$34 million for forest development roads and trails for each of fiscal years 1960 and 1961, (5) require a study of needed improvements on the forest highway system and a report thereon to Congress on or before January 1, 1960, (6) authorize \$20 million for roads in national parks for each of fiscal



years 1960 and 1961, (7) authorize \$16 million for parkways for each of fiscal years 1960 and 1961, (8) authorize \$12 million for roads in Indian reservations for each of fiscal years 1960 and 1961 (9) authorize \$4 million for roads on unappropriated and unreserved public lands for each of fiscal years 1960 and 1961, (10) increase the 1959 Interstate authorization by \$200 million and the 1960 and 1961 authorization by \$300 million each year, the 1959 moneys to be apportioned immediately, (11) authorize and direct apportionment of full authorization of interstate, primary, secondary, and urban systems for fiscal 1960, (12) modify provisions for reimbursement of cost for moving public utility facilities off of highway rights-of-way, and (13) authorize acquisition of billboard advertising rights on lands adjacent to the interstate system, and encourage States to develop regulations concerning billboard advertising along the interstate system."

2. FARM INCOME. Sen. Proxmire charged this Department with issuing questionable figures on farm income, and stated that "there have been some extremely alarming reports of possible distortion of the figures by the Department of Agriculture." pp. 3908-09
3. FOREIGN TRADE; SURPLUS COMMODITIES. S. 3420, to extend Public Law 480, was made the unfinished business. p. 3983
4. ECONOMIC SITUATION. Sen. Fulbright referred to a letter from the White House to Senate and House Republican leaders urging action on "a number of administration recommendations for new legislation which could be of great help in stimulating the economy," including a proposed bill to raise interest rates on Government lending programs. He stated that the "Budget Bureau has not yet responded to the many requests which I have made for information about what it intends to do with the requested authority," and expressed doubt that it would be wise to raise interest rates in the current economic situation. pp. 3922-23  
Sen. Capehart inserted a statement he had prepared, "Current Factors of the National Economy," and a discussion of steps the Administration was taking to alleviate the current economic situation. pp. 3909-10  
Sen. Fulbright inserted two articles discussing the current economic situation, "A Note on Recovery Policy and National Security" and "A Tax Cut Versus Public Works." pp. 3914-16
5. PRICE SUPPORTS; ACREAGE ALLOTMENTS. Sen. Capehart inserted several telegrams he had received, including one from the President of the American Farm Bureau Federation, opposing a freeze on price supports and acreage allotments at 1957 levels. p. 3909
6. TRANSPORTATION TAXES. Received from the Va. Legislature a resolution favoring the repeal of the Federal excise tax on the transportation of persons and property. p. 3890
7. FLOOD CONTROL. Upon the request of Sen. Dirksen, S. 2964, to grant the consent of Congress to a compact between Conn. and Mass. relating to flood control, was transferred from the Judiciary Committee to the Public Works Committee. p. 3896
8. FOREIGN TRADE; FOREIGN AID. Sen. Smith, N. J., inserted an address and a newspaper article favoring extension of the reciprocal trade and mutual security programs. pp. 3897-3900

85TH CONGRESS  
2D SESSION

# H. R. 9821

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IN THE SENATE OF THE UNITED STATES

MARCH 14, 1958

Read twice and referred to the Committee on Public Works

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## AN ACT

To amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3                               FEDERAL-AID HIGHWAYS

4       SECTION 1. (a) (1) AUTHORIZATION OF APPROPRIA-  
5       TIONS.—For the purpose of carrying out the provisions of  
6       the Federal-Aid Road Act approved July 11, 1916 (39  
7       Stat. 355), and all Acts amendatory thereof and supple-  
8       mentary thereto, there is hereby authorized to be appro-  
9       priated the sum of \$900,000,000 for the fiscal year ending  
10      June 30, 1960; and the sum of \$925,000,000 for the fiscal

1 year ending June 30, 1961. The sums herein authorized  
2 for each fiscal year shall be available for expenditure as  
3 follows:

4 (A) 45 per centum for projects on the Federal-aid  
5 primary highway system.

6 (B) 30 per centum for projects on the Federal-aid  
7 secondary highway system.

8 (C) 25 per centum for projects on extensions of these  
9 systems within urban areas.

10 (2) APPORTIONMENTS.—The sums authorized by this  
11 section shall be apportioned among the several States in the  
12 manner now provided by law and in accordance with the  
13 formulas set forth in section 4 of the Federal-Aid Highway  
14 Act of 1944, approved December 20, 1944 (58 Stat. 838).

15 (b) AVAILABILITY FOR EXPENDITURE.—Any sums  
16 apportioned to any State under this section shall be available  
17 for expenditure in that State for two years after the close of  
18 the fiscal year for which such sums are authorized, and any  
19 amounts so apportioned remaining unexpended at the end of  
20 such period shall lapse: *Provided*, That such funds shall be  
21 deemed to have been expended if a sum equal to the total  
22 of the sums herein and heretofore apportioned to the State  
23 is covered by formal agreements with the Secretary of Com-  
24 merce for construction, reconstruction, or improvement of  
25 specific projects as provided in this title and prior Acts:



1 *Provided further*, That in the case of those sums heretofore,  
2 herein, or hereafter apportioned to any State for projects  
3 on the Federal-aid secondary highway system, the Secretary  
4 of Commerce may, upon the request of any State, discharge  
5 his responsibility relative to the plans, specifications, esti-  
6 mates, surveys, contract awards, design, inspection, and con-  
7 struction of such secondary road projects by his receiving  
8 and approving a certified statement by the State highway  
9 department setting forth that the plans, design, and construc-  
10 tion for such projects are in accord with the standards and  
11 procedures of such State applicable to projects in this cate-  
12 gory approved by him: *Provided further*, That such ap-  
13 proval shall not be given unless such standards and proce-  
14 dures are in accordance with the objectives set forth in sec-  
15 tion 1 (b) of the Federal-Aid Highway Act of 1950:  
16 *And provided further*, That nothing contained in the fore-  
17 going provisos shall be construed to relieve any State of its  
18 obligation now provided by law relative to maintenance,  
19 nor to relieve the Secretary of Commerce of his obligation  
20 with respect to the selection of the secondary system or the  
21 location of projects thereon, to make a final inspection after  
22 construction of each project, and to require an adequate  
23 showing of the estimated and actual cost of construction of  
24 each project. Any Federal-aid primary, secondary, or urban  
25 funds released by the payment of the final voucher or by

1 modification of the formal project agreement shall be credited  
2 to the same class of funds, primary, secondary, or urban,  
3 previously apportioned to the State and be immediately  
4 available for expenditure.

5 FOREST HIGHWAYS AND FOREST DEVELOPMENT ROADS  
6 AND TRAILS

7 SEC. 2. (a) AUTHORIZATION OF APPROPRIATIONS.—  
8 For the purpose of carrying out the provisions of section 23  
9 of the Federal Highway Act of 1921 (42 Stat. 218), as  
10 amended and supplemented, there is hereby authorized to  
11 be appropriated (1) for forest highways the sum of \$30,-  
12 000,000 for the fiscal year ending June 30, 1960, and a  
13 like sum for the fiscal year ending June 30, 1961; and  
14 (2) for forest development roads and trails the sum of  
15 \$28,500,000 for the fiscal year ending June 30, 1960, and  
16 a like sum for the fiscal year ending June 30, 1961:  
17 *Provided*, That with respect to any proposed construction  
18 or reconstruction of a timber access road, advisory public  
19 hearings shall be held at a place convenient or adjacent to  
20 the area of construction or reconstruction with notice and  
21 reasonable opportunity for interested persons to present their  
22 views as to the practicability and feasibility of such con-  
23 struction or reconstruction: *Provided further*, That hereafter  
24 funds available for forest highways and forest development

1 roads and trails shall also be available for adjacent vehicular  
2 parking areas and for sanitary, water, and fire control  
3 facilities: *And provided further*, That the appropriation  
4 herein authorized for forest highways shall be apportioned  
5 by the Secretary of Commerce for expenditure in the several  
6 States, Alaska, and Puerto Rico in accordance with the  
7 provisions of section 3 of the Federal-Aid Highway Act  
8 of 1950.

9 ROADS AND TRAILS IN NATIONAL PARKS, AND SO FORTH

10 SEC. 3. (a) NATIONAL PARKS, AND SO FORTH.—For  
11 the construction, reconstruction, and improvement of roads  
12 and trails, inclusive of necessary bridges, in national parks,  
13 monuments, and other areas administered by the National  
14 Park Service, including areas authorized to be established as  
15 national parks and monuments, and national park and monu-  
16 ment approach roads authorized by the Act of January 31,  
17 1931 (46 Stat. 1053), as amended, there is hereby author-  
18 ized to be appropriated the sum of \$16,000,000 for the fiscal  
19 year ending June 30, 1960, and a like sum for the fiscal  
20 year ending June 30, 1961.

21 (b) PARKWAYS.—For the construction, reconstruction,  
22 and improvement of parkways, authorized by Acts of Con-  
23 gress, on lands to which title is vested in the United States,



1 there is hereby authorized to be appropriated the sum of  
2 \$16,000,000 for the fiscal year ending June 30, 1960, and  
3 a like sum for the fiscal year ending June 30, 1961.

4 (c) INDIAN RESERVATIONS AND LANDS.—For the con-  
5 struction, improvement, and maintenance of Indian reserva-  
6 tion roads and bridges and roads and bridges to provide access  
7 to Indian reservations and Indian lands under the provisions  
8 of the Act approved May 26, 1928 (45 Stat. 750), there  
9 is hereby authorized to be appropriated the sum of \$12,-  
10 000,000 for the fiscal year ending June 30, 1960, and a  
11 like sum for the fiscal year ending June 30, 1961: *Provided*,  
12 That the location, type and design of all roads and bridges  
13 constructed shall be approved by the Secretary of Commerce  
14 before any expenditures are made thereon, and all such con-  
15 struction shall be under the general supervision of the Secre-  
16 tary of Commerce.

17 PUBLIC LANDS HIGHWAYS

18 SEC. 4. For the purpose of carrying out the provisions  
19 of section 10 of the Federal-Aid Highway Act of 1950  
20 (64 Stat. 785), there is hereby authorized to be appro-  
21 priated for the survey, construction, reconstruction, and  
22 maintenance of main roads through unappropriated or unre-  
23 served public lands, nontaxable Indian lands, or other Fed-  
24 eral reservations the sum of \$2,000,000 for the fiscal year

1 ending June 30, 1960, and a like sum for the fiscal year  
2 ending June 30, 1961.

3 SPECIAL PROVISIONS FOR FEDERAL DOMAIN ROADS, AND  
4 SO FORTH

5 SEC. 5. Any funds authorized herein for forest high-  
6 ways, forest development roads and trails, park roads and  
7 trails, parkways, Indian roads, and public lands highways  
8 shall be available for contract upon apportionment, or a date  
9 not earlier than one year preceding the beginning of the  
10 fiscal year for which authorized if no apportionment is re-  
11 quired: *Provided*, That any amount remaining unexpended  
12 two years after the close of the fiscal year for which author-  
13 ized shall lapse. The Secretary of the department charged  
14 with the administration of such funds is hereby granted au-  
15 thority to incur obligations, approve projects, and enter into  
16 contracts under such authorizations, and his action in doing  
17 so shall be deemed a contractual obligation of the Federal  
18 Government for the payment of the cost thereof, and such  
19 funds shall be deemed to have been expended when so obli-  
20 gated. Any funds heretofore, herein, or hereafter author-  
21 ized for any fiscal year for forest highways, forest develop-  
22 ment roads and trails, park roads and trails, parkways, Indian  
23 roads, and public lands highways shall be deemed to have  
24 been expended if a sum equal to the total of the sums author-

1 ized for such fiscal year and previous fiscal years since and  
2 including the fiscal year ending June 30, 1955, shall have  
3 been obligated. Any of such funds released by payment of  
4 final voucher or modification of project authorization shall  
5 be credited to the balance of unobligated authorizations and  
6 be immediately available for expenditure.

7 RELATIONSHIP OF THIS ACT TO OTHER ACTS; EFFECTIVE  
8 DATE

9 SEC. 6. All provisions of the Federal-Aid Road Act  
10 approved July 11, 1916, together with all Acts amendatory  
11 thereof or supplementary thereto, not inconsistent with this  
12 Act, shall remain in full force and effect and be applicable  
13 hereto. All Acts or parts of Acts in any way inconsistent  
14 with the provisions of this Act are hereby repealed. This  
15 Act shall take effect on the date of enactment.

16 SHORT TITLE

17 SEC. 7. This Act may be cited as the "Federal Highway  
18 Act of 1958".

Passed the House of Representatives March 13, 1958.

Attest:

RALPH R. ROBERTS,

*Clerk.*





85TH CONGRESS  
2D SESSION

H. R. 9821

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## AN ACT

To amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways.

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MARCH 14, 1958

Read twice and referred to the Committee on  
Public Works







## FEDERAL-AID HIGHWAY ACT OF 1958

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MARCH 22, 1958.—Ordered to be printedFiled under authority of the order of the Senate of March 21 (legislative day,  
March 17), 1958

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Mr CHAVEZ, from the Committee on Public Works, submitted the  
following

## REPORT

together with

## SUPPLEMENTAL, ADDITIONAL, AND SEPARATE VIEWS

[To accompany S. 3414]

The Committee on Public Works, to whom was referred the bill (S. 3414) to amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes, having considered the same, report favorably thereon with an amendment, and recommend that the bill, as amended, do pass.

The amendment strikes out all after the enacting clause and inserts a new text which appears in the reported bill in italic type.

S. 3414 includes the authorization for continuing and expanding the Federal-aid highway program. It includes (1) an additional authorization of appropriations for the regular Federal-aid highway systems for fiscal year 1959, and the regular biennial authorizations for such systems for fiscal years 1960 and 1961; (2) additional authorizations for the National System of Interstate and Defense Highways for fiscal years 1959, 1960, and 1961; (3) provisions for apportionment of interstate authorizations to the States for fiscal years 1959 and 1960; (4) authorization for the public-domain roads for fiscal years 1959 and 1960; (5) certain amendments to existing Federal-aid highway laws; and (6) it establishes a policy and provides for Federal assistants to States desiring to implement a program for use of an improvement of areas adjacent to the Interstate System by regulating the erection and maintenance of outdoor advertising mediums.

The Subcommittee on Public Roads held hearings on the status and progress of the national highway program and on proposed

Federal-aid highway legislation for a total of 14 days, extending from January 8 to March 11, 1958.

Testimony and statements were received by the subcommittee from about 60 persons and organizations. These witnesses included all of the principal organizations interested in highway development; representatives of Federal, State, and local agencies charged with supervision of the Federal-aid program; governors, Senators, Members of the House of Representatives, other Federal and local officials, and interested parties.

After considering all the bills and proposed amendments to said bills, individual bills proposing amendments to the Federal-Aid Highway Act of 1956, and the testimony given at the hearings, the committee has amended S. 3414 to include what it believes to be necessary for expediting and accelerating the Federal-aid highway program to the greatest practicable extent, reducing unemployment, placing our productive facilities into more complete usefulness, and making earlier completion of sections of our Nation's highways possible, thereby advancing their increased contribution to the enhancement of our national productivity and our continued economic growth and prosperity.

#### GENERAL STATEMENT

The Federal-Aid Highway Act of 1956 authorizing a new and enlarged Federal-aid highway program of far-reaching consequences that, in its entirety, will be one of the great construction projects of all time. It continued the cooperative effort that has evolved during the life of the Federal-aid highway program begun in 1916, yet included many other provisions the effects of which are only beginning to be realized after less than 2 years of operation.

The act recognized the Federal responsibility for the early completion of a National System of Interstate and Defense Highways, a 41,000-mile system of highways of greatest importance to the Nation as a whole, by providing that the Federal Government pay 90 percent of the cost of this segment of our highway system. The act included authorization over a 13-year period, 1957 through 1969, of Federal funds totaling \$25 billion, estimated to be sufficient, with State matching funds, to complete the construction of the entire system as then designated. Financing provisions were included in the act to finance that program over the period from fiscal year 1957 through 1972.

The act went beyond previous legislation in prescribing that design standards for the Interstate System should be adequate to accommodate the types and volumes of traffic forecast for the year 1975, and by requiring controlled access as an important feature. It also established a Federal highway trust fund into which certain receipts from Federal highway-user taxes are to be transferred. The act requires that certain specified highway-user revenues received by the Federal Government shall be expended only for highway purposes.

The National System of Interstate and Defense Highways is a most important segment of the Nation's highway system. Comprising about 1.5 percent of the highway mileage it carries about 20 percent of the highway traffic. It connects, as directly as practicable, the principal metropolitan areas, cities, and industrial centers, serves the



national defense, and connects with routes of continental importance in Canada and Mexico. It will link together 90 percent of the cities having populations in excess of 50,000, and connects 42 of the 48 State capitols, as well as many smaller cities and towns. It will serve well over half of the rural population of the United States.

The Congress departed from its normal practice of making biennial authorizations for Federal-aid highway expenditures in authorizing the 13-year program for the Interstate System. This action provided assurance to the States of the Federal determination to provide adequate funds to complete the system within a definite period of time, and assurance to the material and equipment industries, the highway contractors, and others associated with highway construction that they should make their plans and gear their activities to completion of this huge program within the specified time.

The Subcommittee on Public Roads held hearings early in 1957 and again this year, on the status and progress of the Federal-aid highway program, implementing its plan to conduct an annual review and exercise strict surveillance of the program, discuss the problems involved, program progress, the financial situation, and to eliminate legislative obstacles that may be slowing down any specific features of the program.

At the present time the interstate program in the Nation as a whole is proceeding satisfactorily, after a rather slow start. Funds authorized for fiscal years 1957, 1958, and 1959 have been apportioned to the States, and are available for obligation. Many of the States are proceeding ahead of schedule with their obligation of funds, while others, although now behind schedule, have removed legal, financial, and administrative difficulties, and are now in a position to proceed with highway construction at a much faster rate.

Section 108 (d) of the Federal-Aid Highway Act of 1956 directed the Secretary of Commerce, in cooperation with the State highway departments, to submit to the Congress an estimate of cost of completing the Interstate System in the several States. The report on this cost study was submitted to Congress on January 7, 1958, and is published as House Document No. 300, 85th Congress. Cost estimates in this report were based on the average cost indices of construction for the last half of the calendar year of 1956. The total estimated cost in the report for completing the designated 38,548 miles of the Interstate System is about \$37.6 billion, or 37 percent higher than the amounts authorized in the 1956 act. This increase is due in part to increased prices, but principally to increased work required by the 1956 act not contemplated in the original somewhat sketchy cost estimate on which the authorizations in the 1956 act were based, which was midyear 1954 prices. Two of these major items of increase in the latest estimates are rights-of-way, 11 percent, and provisions for local needs (interchanges, service roads, etc.) 15 percent. Estimates of traffic volumes are continually increasing. In 1957 there were 65 million cars on the highways. It is now estimated that in 1975 there will be 100 million.

A tabular comparison of the present financing that was provided by the 1954 and 1956 acts and the financing needs currently estimated in accordance with the 1956 act is given in the following table.

	Federal share (billions)	State matching share (billions)	Total (billions)
Current estimate of needed Federal aid-State matching money: For fiscal years 1957-59 (Federal funds already apportioned).....	\$4.875	\$0.605	\$5.480
Required for 1960 and later fiscal years.....	29.077	3.065	32.142
Total.....	33.952	3.670	37.622
As provided by the 1954 and 1956 acts.....	25.000	2.645	27.645

The committee believes that the interstate program is now in real danger of slowing down and falling behind the contemplated schedule. In addition to the increased costs, the Secretary of Commerce has advised that the apportionments for fiscal year 1960 cannot be made until December 1958, instead of July 1958, and that the apportionment for the Interstate System at that time will be about \$1.6 billion, rather than the \$2.2 billion authorized in the 1956 act, due to the anticipated deficiency in the highway trust fund.

The present status of the highway trust fund is as follows:

*Highway trust fund status as of Feb. 28, 1958—Compiled from reports of the Treasury Department*

	Fiscal year 1957	Fiscal year 1958 to Feb. 28, 1958	Total, July 1, 1956, to Feb. 28, 1958
Balance in trust fund, beginning of period.....		\$516,335,489	
Receipts:			
Excise taxes.....	\$1,478,925,050	1,492,160,208	\$2,971,085,258
Interest.....	3,004,003	6,875,452	9,969,455
Total available.....	1,482,019,053	2,015,371,149	2,981,054,713
Expenditures (Treasury checks issued):			
Bureau of Public Roads.....	965,506,734	999,523,549	1,965,030,283
Refunds.....	16,830	88,933,715	88,950,545
Labor Standards transfers.....	160,000	200,000	360,000
Total expenditures.....	965,683,564	1,088,657,264	2,054,340,828
Balance, end of period.....	516,335,489	926,713,885	926,713,885
Fund assets:			
United States securities (par).....	404,444,000	714,916,000	714,916,000
Bureau of Public Roads (Treasury balance).....	84,493,266	62,969,716	62,969,716
Treasury, highway trust fund.....	27,398,223	148,828,169	148,828,169
Total fund assets.....	516,335,489	926,713,885	926,713,885

Because of these two factors, increased cost and decreased apportionments, the program for the Interstate System faces a stretchout or an extension of the construction and financing period for several years. This would result in increased cost of the highway program, make obsolete the highways before they are completed, and delay receipt of the economic benefits that flow from an adequate highway network.

During the course of the hearings various witnesses, including several State governors, expressed their belief that it would be tragic to extend the interstate construction program beyond the completion

date authorized in the 1956 act. Upon later contact, 47 of the 48 State governors also expressed similar sentiments and agreed that the Interstate System should be completed in accordance with the original schedule. Various methods and proposals for meeting the trust fund deficiencies were discussed.

The committee realizes the seriousness of the situation and recommends enactment of S. 3414 as the first step to keep the Interstate program on schedule, by increasing the authorization for 1959, 1960, and 1961. These increases reflect the increased cost estimates, which may not be completely accurate as of this date, but which are the best available, and which may be corrected by subsequent estimates. Data presented at the hearing indicated that recent contract bids have average about 7.2 percent below the State's cost estimates, with some contract awards as much as 20 to 25 percent below such estimates. Better information on cost data will be available within the next year or so, as more experience on contract bids is obtained.

The increased authorizations for the Interstate System included in S. 3414 do not fully meet the revised cost estimates, but the committee believes the amounts reasonable at the present time, and the authorization can be increased or supplemented if later experience indicates the need therefor.

The need for maintaining the construction schedules set forth in the 1956 act is more urgent at the present time because of the current state of our economy, with about 5.2 million persons unemployed. One of the most effective means of stimulating our economy is by accelerating a sound public works program. There is no program of permanent public improvement that can be so promptly accelerated, put men to work more rapidly, and stimulate the Nation's economy more effectually than the highway program. Plans are ready and the States can proceed as soon as funds are made available. This is particularly true of the regular primary, secondary, and urban Federal-aid systems—the so-called ABC roads. The committee believes that these systems offer an excellent opportunity to provide employment and improve economic conditions in areas remote from the location of the Interstate System, and that the States can put an additional amount of ABC funds under contract almost immediately, provided such funds are available. It is estimated that each \$9,000 spent for highway work will provide 1 man-year of employment. The committee has recommended provisions in the bill for advances of funds to the States for matching purposes, reimbursement to be made from subsequent Federal-aid highway apportionments. The committee recommends a more liberal matching formula for the additional funds made available for the ABC roads for fiscal year 1959. It is emphasized that this 70-30 matching formula applies only to this special supplemental authorization. Regular apportionments for primary, secondary, and urban roads will continue to require the existing 50-50 matching formula.

The mileage on the various designated Federal-aid highway systems are shown in the following tabulation:



## Rural and urban mileages of Federal-aid highway systems

State	Mileages of Federal-aid highway systems											
	Interstate			Other Federal-aid primary			Federal-aid secondary			Total		
	Rural	Urban	Total	Rural	Urban	Total	Rural	Urban	Total	Rural	Urban	Total
Alabama.....	776	102	878	4,775	463	5,238	16,608	363	16,971	22,159	928	23,087
Arizona.....	1,132	29	1,161	1,405	40	1,446	3,655	122	3,777	6,193	191	6,384
Arkansas.....	482	40	522	3,233	143	3,376	13,634	111	13,745	17,349	294	17,643
California.....	1,608	527	2,135	4,317	730	5,047	9,755	478	10,233	15,680	1,735	17,415
Colorado.....	643	31	674	3,495	97	3,592	8,802	48	8,850	7,940	1,776	17,616
Connecticut.....	164	111	275	730	259	989	1,005	148	1,153	1,899	518	2,417
Delaware.....	34	6	40	483	43	526	1,402	17	1,419	1,919	66	1,985
Florida.....	999	112	1,111	3,869	391	4,260	10,454	272	10,726	15,322	775	16,097
Georgia.....	974	138	1,112	6,910	357	7,267	12,890	115	13,005	20,774	610	21,384
Idaho.....	599	12	611	2,390	50	2,440	4,580	40	4,620	7,569	102	7,671
Illinois.....	1,401	207	1,608	8,066	836	8,902	10,757	131	10,888	20,204	1,174	21,378
Indiana.....	1,000	90	1,090	3,966	389	4,355	15,622	215	15,837	20,588	694	21,282
Iowa.....	659	50	709	8,910	482	9,392	32,904	233	33,137	42,473	765	43,238
Kansas.....	702	101	803	6,866	313	7,179	22,689	93	22,782	30,257	507	30,764
Kentucky.....	562	43	605	3,601	203	3,804	15,128	88	15,216	19,291	334	19,625
Louisiana.....	512	83	595	2,348	218	2,566	7,616	114	7,730	10,476	415	10,891
Maine.....	293	20	313	1,529	92	1,621	2,249	50	2,299	4,071	162	4,233
Maryland.....	254	96	350	1,756	248	2,004	5,796	177	5,973	7,806	521	8,327
Massachusetts.....	274	176	450	1,142	581	1,723	1,666	540	2,206	3,082	1,297	4,379
Michigan.....	936	130	1,066	5,446	385	5,831	21,489	243	21,732	27,871	758	28,629
Minnesota.....	763	125	888	7,395	546	7,941	19,162	155	19,317	27,320	826	28,146
Mississippi.....	612	64	676	4,329	143	4,472	9,405	82	9,487	14,346	289	14,635
Missouri.....	984	111	1,095	7,347	305	7,652	19,252	113	19,365	27,583	529	28,112
Montana.....	1,168	12	1,180	4,631	56	4,687	4,451	16	4,467	10,250	84	10,334
Nebraska.....	478	10	488	5,034	131	5,165	13,071	29	13,100	18,583	170	18,753
Nevada.....	524	10	534	1,635	21	1,656	2,474	12	2,486	4,633	43	4,676
New Hampshire.....	197	18	215	910	82	992	1,544	46	1,590	2,651	146	2,797
New Jersey.....	208	160	368	1,101	569	1,670	1,540	440	1,980	2,849	1,160	4,018
New Mexico.....	975	25	1,000	2,893	120	3,013	5,190	46	5,236	9,061	191	9,252
New York.....	815	395	1,210	7,818	1,745	9,563	19,028	283	19,311	27,661	2,423	30,084
North Carolina.....	638	39	677	5,844	329	6,173	23,941	171	24,112	30,423	539	30,962
North Dakota.....	405	9	414	2,966	42	3,008	13,513	18	13,531	16,974	69	17,043
Ohio.....	1,138	206	1,344	5,742	680	6,422	16,521	384	16,905	23,401	1,270	24,671
Oklahoma.....	713	71	784	6,953	242	7,195	11,674	73	11,747	19,340	386	19,726
Oregon.....	665	52	717	3,159	146	3,305	5,403	60	5,463	9,227	258	9,485
Pennsylvania.....	1,203	232	1,435	5,282	753	6,035	12,321	899	13,220	18,806	1,884	20,690
Rhode Island.....	32	39	71	230	162	392	280	104	384	542	305	847
South Carolina.....	662	17	679	3,739	198	3,937	13,250	146	13,396	17,651	361	18,012

South Dakota.....	504	8	512	4,226	64	4,290	12,363	20	12,383	17,093	92	17,185
Tennessee.....	867	121	988	4,131	192	4,323	9,688	47	9,735	14,686	360	15,046
Texas.....	2,494	395	2,889	13,340	879	14,219	27,605	250	27,855	43,439	1,524	44,963
Utah.....	602	32	634	1,483	36	1,519	3,296	63	3,359	5,381	131	5,512
Vermont.....	309	12	321	1,193	44	1,237	1,781	23	1,804	3,283	79	3,362
Virginia.....	901	95	996	3,467	216	3,683	17,851	183	18,034	22,219	494	22,713
Washington.....	491	122	613	2,831	143	2,974	9,391	257	9,648	12,713	522	13,235
West Virginia.....	191	16	207	2,209	161	2,370	10,579	92	10,671	12,979	269	13,248
Wisconsin.....	428	24	452	5,469	414	5,883	18,354	270	18,624	24,251	708	24,959
Wyoming.....	916	15	931	2,590	28	2,618	2,105	19	2,124	5,611	62	5,673
District of Columbia.....		29	29		112	112		78	78		219	219
Hawaii.....				495	37	532	592	10	602	1,087	47	1,134
Puerto Rico.....				426	124	550	1,044	41	1,085	1,470	165	1,635
Total.....	33,980	4,568	38,548	194,106	15,040	209,146	520,350	8,028	528,378	748,436	27,636	776,072

## DESIGNATION OF INTERSTATE MILEAGE

Prior to enactment of the Federal-Aid Highway Act of 1956, routes totaling 40,000 miles had been selected by joint action of the Secretary of Commerce and the State highway departments as the Interstate System. As detailed engineering studies became available the overall length of the routes was reduced to 38,548 miles due to more direct alinement on new locations. The estimates of cost for completing the Interstate System are based on this 38,548 miles. This reduction in length on the Interstate System left 1,452 miles available for designation, which with the additional 1,000 miles authorized in the 1956 act, would leave 2,452 miles available for designation. The Bureau of Public Roads received requests from the States totaling over 13,000 miles for designation on the Interstate System from the authorized additional 1,000 miles.

In October 1957, the Secretary of Commerce approved 867 miles of routes proposed by the States; suggested 508 miles of routes for consideration by the States; suggested a modification of a 547-mile route proposed by the States; earmarked 180 miles of routes to provide circumferential or belt highways for 13 cities of more than 200,000 population; and reserved the remaining 350 miles pending establishment of final locations of the routes.

Consideration of these routes was based on national defense, system integration, industry, and population. The committee realizes that the Secretary of Commerce studied the proposed designations on a national basis and discussed the situation with the Department of Defense, and that certain suggested routes of national significance had not been proposed by the States. The committee is of the opinion that the Secretary should have discussed this matter with the States before announcing the routes designated and those suggested for designation. A tabulation of the additional mileage is as follows:



*Additional interstate system routes announced, Oct. 18, 1957*

	Miles of new routes under 40,000-mile authority			Miles of new routes under 1,000-mile authority			
	Approved	Suggested	Total	Approved	Modifica- tion sug- gested	Suggested	Total
Alabama.....							
Arizona.....							
Arkansas.....							
California.....							
Colorado.....					302		302
Connecticut.....							
Delaware.....							
Florida.....							
Georgia.....							
Idaho.....							
Illinois.....	5		5				
Indiana.....							
Iowa.....							
Kansas.....							
Kentucky.....	8	80	88				
Louisiana.....						81	81
Maine.....							
Maryland.....	2		2				
Massachusetts.....							
Michigan.....							
Minnesota.....	1		1				
Mississippi.....						10	10
Missouri.....	7		7				
Montana.....							
Nebraska.....	1		1				
Nevada.....							
New Hampshire.....							
New Jersey.....							
New Mexico.....							
New York.....							
North Carolina.....		78	78				
North Dakota.....				70			70
Ohio.....	100		100				
Oklahoma.....							
Oregon.....						30	30
Pennsylvania.....	112		112				
Rhode Island.....							
South Carolina.....							
South Dakota.....				160			160
Tennessee.....		90	90				
Texas.....	143		143				
Utah.....	40		40		245		245
Vermont.....							
Virginia.....	33	37	70				
Washington.....						102	102
West Virginia.....	184		184				
Wisconsin.....							
Wyoming.....							
District of Columbia.....	1		1				
Subtotal.....	637	285	922				
Undistributed <sup>1</sup> .....		180	180				
Total.....	637	465	1,102	230	547	223	1,000
Reserved <sup>2</sup> .....			350				
Grand total.....			1,452				

<sup>1</sup> For belt routes in urban places of over 200,000 population.<sup>2</sup> Pending establishment of final locations, to avoid exceeding statutory limitation.

## REIMBURSEMENT FOR TOLL ROADS

Section 114 of the Federal-Aid Highway Act of 1956 authorized the Secretary of Commerce to make a study of the toll and free roads on the Interstate System completed and under construction, which meet the standards of such system, their cost, and other data relative thereto. The Secretary has submitted the results of his study to Congress, which is published in House Document No. 301, 85th Congress. In his study the Secretary found that of the 38,548 miles of approved locations on the Interstate System as of September 1957, 10,859 miles or 28 percent met the criteria for consideration for reimbursement, if such a policy should be approved by the Congress. In this mileage were included 1,950 miles of toll roads in 26 States and 8,909 miles of free roads in 47 States. Only 1,955 miles of the 10,859-mile total were fully completed.

The total cost of the highways eligible for consideration for reimbursement amounted to \$6.09 billion, of which \$2.59 billion was for toll roads and \$3.50 billion for free roads. Federal-aid funds accounted for 32 percent of the latter. Depreciation of the value of the roads relative to their age would reduce the costs to \$2.52 billion for toll roads and \$3.40 billion for free roads, a total of \$5.92 billion. The Secretary made no recommendation on the justification for such reimbursement.

The committee held hearings on S. 3429, a bill which would authorize reimbursement to the States for certain free and toll roads on the Interstate System included in the report of the Secretary of Commerce. The Committee gave consideration to the information presented and discussed the matter thoroughly. The merits of this proposal were recognized, but it was felt that because of the policy matters involved, the high costs of such reimbursement, and the questionable issues relative to the financial provisions, the matter should be the subject of further study and considered as separate legislation.

## AUTHORIZATIONS FOR FEDERAL-AID SYSTEMS

The Federal-Aid Highway Act of 1956 authorized a continuation of the Federal-aid highway program for an additional 2-year period, covering fiscal years 1958 and 1959, with increased annual authorizations, but under substantially the same basic pattern as had heretofore been adopted by Congress. The amounts authorized by acts of Congress for the various systems for the past several years are shown in the following tabulation:

The funds authorized by the Federal-Aid Highway Act of 1956 have been apportioned to the States for fiscal year 1959, and are now being obligated for highway work in a few States. Apportionment to the States by classification of systems for the fiscal year 1959, and the additional authorizations proposed in S. 3414 for the same year, are shown in the following tabulations:

*Federal-aid systems*

	1952	1954	1956 <sup>1</sup>	
			1958	1959
Primary (45 percent).....	\$247.5	\$315	\$382.5	\$393.75
Secondary (30 percent).....	165.0	210	255.0	262.50
Urban (25 percent).....	137.5	175	212.5	218.75
Total.....	550.0	700	850.0	875.00

<sup>1</sup> The act of 1956 authorized \$125,000,000 additional for fiscal year 1957, making the total for that year \$825,000,000.

*Apportionments of Federal-aid highway funds authorized by the Federal-Aid Highway Act of 1956 for the fiscal year 1959 <sup>1</sup>*

[Millions of dollars]

State	A B C funds				Interstate (2,000.0)	Total (2,875.0)
	Primary (393.7)	Secondary (262.5)	Urban (218.8)	Total for A B C funds (875.0)		
Alabama.....	8.3	6.5	2.8	17.6	40.7	58.3
Arizona.....	5.7	3.9	.9	10.5	22.8	33.3
Arkansas.....	6.4	5.2	1.2	12.8	28.7	41.5
California.....	18.8	9.8	19.5	48.1	115.4	163.5
Colorado.....	7.1	4.7	1.8	13.6	27.1	40.7
Connecticut.....	2.6	1.3	4.2	8.1	19.2	27.3
Delaware.....	2.0	1.3	.4	3.7	12.4	16.1
Florida.....	6.2	4.1	3.9	14.2	33.7	47.9
Georgia.....	9.4	7.3	3.2	19.9	46.0	65.9
Idaho.....	4.8	3.4	.4	8.6	20.3	28.9
Illinois.....	15.2	8.3	15.3	38.8	93.7	132.5
Indiana.....	9.2	6.4	5.2	20.8	48.3	69.1
Iowa.....	9.2	6.8	2.6	18.6	40.3	58.9
Kansas.....	9.2	6.4	2.1	17.7	35.9	53.6
Kentucky.....	7.2	6.0	2.3	15.5	37.2	52.7
Louisiana.....	6.1	4.4	3.2	13.7	32.7	46.4
Maine.....	3.2	2.3	.9	6.4	16.0	22.4
Maryland.....	3.6	2.2	3.7	9.5	24.0	33.5
Massachusetts.....	5.1	1.9	9.1	16.1	42.5	58.6
Michigan.....	12.4	7.6	10.2	30.2	71.9	102.1
Minnesota.....	10.1	7.1	3.6	20.8	45.0	65.8
Mississippi.....	6.9	5.8	1.2	13.9	31.5	45.4
Missouri.....	11.1	7.5	5.4	24.0	53.6	77.6
Montana.....	7.8	5.4	.5	13.7	28.5	42.2
Nebraska.....	7.7	5.4	1.3	14.4	28.5	42.9
Nevada.....	4.9	3.3	.2	8.4	20.7	29.1
New Hampshire.....	2.0	1.3	.6	3.9	12.4	16.3
New Jersey.....	5.2	1.7	9.6	16.5	43.5	60.0
New Mexico.....	6.2	4.3	.7	11.2	24.2	35.4
New York.....	19.1	7.7	29.3	56.1	141.9	198.0
North Carolina.....	9.7	8.3	2.8	20.8	50.5	71.3
North Dakota.....	5.4	4.0	.4	9.8	21.9	31.7
Ohio.....	13.6	8.3	12.7	34.6	84.8	119.4
Oklahoma.....	8.3	6.0	2.4	16.7	35.7	52.4
Oregon.....	6.5	4.6	1.8	12.9	26.8	39.7
Pennsylvania.....	15.8	9.4	16.6	41.8	106.4	148.2
Rhode Island.....	2.0	1.3	1.5	4.8	12.4	17.2
South Carolina.....	5.2	4.3	1.5	11.0	26.7	37.7
South Dakota.....	5.9	4.3	.4	10.6	23.2	33.8
Tennessee.....	8.4	6.5	3.2	18.1	42.2	60.3
Texas.....	25.4	17.0	10.5	52.9	115.0	167.9
Utah.....	4.4	2.9	.9	8.2	19.3	27.5
Vermont.....	2.0	1.3	.3	3.6	12.4	16.0
Virginia.....	7.5	5.8	3.4	16.7	40.1	56.8
Washington.....	6.6	4.4	3.3	14.3	32.2	46.5
West Virginia.....	4.3	3.7	1.4	9.4	23.6	33.0
Wisconsin.....	9.1	6.4	4.3	19.8	45.2	65.0
Wyoming.....	4.9	3.3	.3	8.5	20.6	29.1
Hawaii.....	2.0	1.3	.7	4.0	-----	4.0
District of Columbia.....	2.0	1.3	1.9	5.2	12.4	17.6
Puerto Rico.....	2.1	2.1	1.9	6.1	-----	6.1
Alaska.....	8.0	5.4	.1	13.5	-----	13.5
Total.....	391.8	261.2	217.6	870.6	1,990.0	2,860.6

<sup>1</sup> These apportionments were made Aug. 1, 1957.



*Approximate apportionments of additional authorizations of Federal-aid highway funds for fiscal year 1959, pursuant to S. 3414*

[Millions of dollars]

State	A B C funds				Interstate (200)	Total (600)
	Primary (180)	Secondary (120)	Urban (100)	Total (400)		
Alabama.....	3.8	3.0	1.3	8.1	4.1	12.2
Arizona.....	2.6	1.8	.4	4.8	2.3	7.1
Arkansas.....	2.9	2.4	.6	5.9	2.9	8.8
California.....	8.6	4.5	8.9	22.0	11.6	33.6
Colorado.....	3.3	2.2	.8	6.3	2.7	9.0
Connecticut.....	1.2	.6	2.0	3.8	1.9	5.7
Delaware.....	.9	.6	.2	1.7	1.3	3.0
Florida.....	2.9	1.9	1.8	6.6	3.4	10.0
Georgia.....	4.3	3.3	1.5	9.1	4.6	13.7
Idaho.....	2.2	1.5	.2	3.9	2.0	5.9
Illinois.....	7.0	3.8	7.0	17.8	9.4	27.2
Indiana.....	4.2	2.9	2.4	9.5	4.9	14.4
Iowa.....	4.2	3.1	1.2	8.5	4.0	12.5
Kansas.....	4.2	3.0	.9	8.1	3.6	11.7
Kentucky.....	3.3	2.8	1.0	7.1	3.7	10.8
Louisiana.....	2.8	2.0	1.5	6.3	3.3	9.6
Maine.....	1.5	1.1	.4	3.0	1.6	4.6
Maryland.....	1.7	1.0	1.7	4.4	2.4	6.8
Massachusetts.....	2.4	.9	4.2	7.5	4.3	11.8
Michigan.....	5.7	3.5	4.7	13.9	7.2	21.1
Minnesota.....	4.6	3.3	1.6	9.5	4.5	14.0
Mississippi.....	3.2	2.6	.6	6.4	3.2	9.6
Missouri.....	5.1	3.5	2.5	11.1	5.4	16.5
Montana.....	3.6	2.5	.2	6.3	2.9	9.2
Nebraska.....	3.5	2.5	.6	6.6	2.9	9.5
Nevada.....	2.3	1.5	.1	3.9	2.1	6.0
New Hampshire.....	.9	.6	.3	1.8	1.3	3.1
New Jersey.....	2.4	.8	4.4	7.6	4.4	12.0
New Mexico.....	2.9	2.0	.3	5.2	2.4	7.6
New York.....	8.8	3.5	13.4	25.7	14.3	40.0
North Carolina.....	4.4	3.8	1.3	9.5	5.1	14.6
North Dakota.....	2.5	1.8	.2	4.5	2.2	6.7
Ohio.....	6.3	3.8	5.8	15.9	8.5	24.4
Oklahoma.....	3.8	2.7	1.1	7.6	3.6	11.2
Oregon.....	3.0	2.1	.8	5.9	2.7	8.6
Pennsylvania.....	7.3	4.3	7.6	19.2	10.7	29.9
Rhode Island.....	.9	.6	.7	2.2	1.3	3.5
South Carolina.....	2.4	2.0	.7	5.1	2.7	7.8
South Dakota.....	2.7	2.0	.2	4.9	2.3	7.2
Tennessee.....	3.8	3.0	1.5	8.3	4.2	12.5
Texas.....	11.7	7.8	4.8	24.3	11.6	35.9
Utah.....	2.0	1.3	.4	3.7	1.9	5.6
Vermont.....	.9	.6	.2	1.7	1.2	2.9
Virginia.....	3.4	2.7	1.6	7.7	4.0	11.7
Washington.....	3.0	2.0	1.5	6.5	3.2	9.7
West Virginia.....	2.0	1.7	.7	4.4	2.4	6.8
Wisconsin.....	4.2	2.9	2.0	9.1	4.5	13.6
Wyoming.....	2.3	1.5	.1	3.9	2.1	6.0
Hawaii.....	.9	.6	.3	1.8	-----	1.8
District of Columbia.....	.9	.6	.9	2.4	1.2	3.6
Puerto Rico.....	.9	1.0	.9	2.8	-----	2.8
Alaska.....	3.7	2.5	(1)	6.2	-----	6.2
Totals.....	180.0	120.0	100.0	400.0	200.0	600.0

<sup>1</sup> Alaska, \$0.03.

Sections 1 and 2 of S. 3414 contain the committee recommendations for authorization of appropriations for the primary, secondary, and urban segments of our regular Federal-aid systems in the following amounts: An additional \$400 million for fiscal year 1959 and \$900 million for each of the fiscal years 1960 and 1961, to be divided in the usual 45-30-25 percent ratio. The following sums would be available for each of the systems:

*Federal-aid systems*

System	1959	1960	1961
Primary (45 percent).....	180	405	405
Secondary (30 percent).....	120	270	270
Urban (25 percent).....	100	225	225
Total.....	400	900	900

The sums would be apportioned among the States in the manner and in accordance with the formulas now provided by law, and the sums authorized for 1960 and 1961 would be available for expenditure for 2 years after the close of the fiscal year for which the sums are authorized. Any apportioned amounts remaining unexpended at the end of the period for which they are available would lapse.

The bill also contains provisions identical to those in existing law concerning the manner in which the Secretary of Commerce may discharge his responsibility in administration of the Federal-aid secondary highway program in a simplified and efficient manner, yet meet the objectives of the Federal-Aid Highway Act of 1950.

Funds authorized for the Federal-aid primary, secondary, and urban systems, under the provisions of section 1 of S. 3414 would be matched by the States on a 50-50 basis as provided by existing law, with the present sliding-scale provision for increased Federal share in States having large percentages in Federal lands. This sliding scale for public-lands States is as follows:

*Sliding scale rates of Federal-aid participation in public lands States, effective Feb. 1, 1958*

State	Ratio of the area of unappropriated and unreserved public lands and nontaxable Indian lands to the total area of the State <sup>1</sup>	Percentage of cost Federal-aid projects payable by the Federal Government		
		50 percent Federal; 50 percent State	60 percent Federal; 40 percent State	90 percent Federal; 10 percent State
Arizona.....	0.4391	71.96	77.56	94.39
California.....	.1618	58.09	66.47	91.62
Colorado.....	.1314	56.57	65.26	91.31
Idaho.....	.2299	61.50	69.20	92.30
Montana.....	.1307	56.54	65.23	91.31
Nevada.....	.6748	83.74	86.99	<sup>2</sup> 95.00
New Mexico.....	.2581	62.91	70.32	92.58
Oregon.....	.2379	61.90	69.52	92.38
South Dakota.....	.1165	55.83	64.66	91.17
Utah.....	.4883	74.42	79.53	94.88
Washington.....	.0707	53.54	62.83	90.71
Wyoming.....	.2872	64.36	71.49	92.87

<sup>1</sup> Area data as of June 30, 1957, furnished by Department of the Interior.

<sup>2</sup> Maximum amount.

The approximate amounts which will be apportioned to each State for fiscal years 1960 and 1961 under the provisions of this act are shown in the following table:

*Approximate apportionments of Federal-aid highway funds for fiscal year 1960 pursuant to S. 3414*

[Millions of dollars]

State	ABC funds				Interstate (sec. 108 (d))	Total
	Primary	Secondary	Urban	Total		
Alabama.....	8.6	6.7	2.9	18.2	49.3	67.5
Arizona.....	5.9	4.0	.9	10.8	34.1	44.9
Arkansas.....	6.6	5.3	1.3	13.2	24.8	38.0
California.....	19.5	10.1	20.1	49.7	254.0	303.7
Colorado.....	7.3	4.9	1.9	14.1	19.4	33.5
Connecticut.....	2.7	1.3	4.4	8.4	30.5	38.9
Delaware.....	2.0	1.3	.5	3.8	8.8	12.6
Florida.....	6.4	4.2	4.1	14.7	64.8	79.5
Georgia.....	9.7	7.5	3.3	20.5	60.3	80.8
Idaho.....	5.0	3.5	.4	8.9	17.3	26.2
Illinois.....	15.7	8.6	15.8	40.1	128.2	168.3
Indiana.....	9.5	6.6	5.4	21.5	72.1	93.6
Iowa.....	9.5	7.0	2.7	19.2	23.7	42.9
Kansas.....	9.5	6.7	2.1	18.3	22.4	40.7
Kentucky.....	7.5	6.2	2.4	16.1	44.0	60.1
Louisiana.....	6.3	4.6	3.3	14.2	66.0	80.2
Maine.....	3.4	2.4	.9	6.7	12.9	19.6
Maryland.....	3.8	2.3	3.8	9.9	56.3	66.2
Massachusetts.....	5.3	2.0	9.4	16.7	69.6	86.3
Michigan.....	12.8	7.8	10.6	31.2	98.3	129.5
Minnesota.....	10.4	7.4	3.7	21.5	47.1	68.6
Mississippi.....	7.1	6.0	1.2	14.3	27.5	41.8
Missouri.....	11.5	7.8	5.5	24.8	71.3	96.1
Montana.....	8.1	5.6	.5	14.2	28.4	42.6
Nebraska.....	8.0	5.6	1.3	14.9	15.4	30.3
Nevada.....	5.0	3.4	.2	8.6	13.1	21.7
New Hampshire.....	2.0	1.3	.7	4.0	13.8	17.8
New Jersey.....	5.4	1.8	9.9	17.1	80.9	98.0
New Mexico.....	6.5	4.4	.7	11.6	30.0	41.6
New York.....	19.7	8.0	30.3	58.0	123.8	181.8
North Carolina.....	10.0	8.6	2.9	21.5	13.3	34.8
North Dakota.....	5.7	4.1	.4	10.2	11.1	21.3
Ohio.....	14.1	8.5	13.1	35.7	162.9	198.6
Oklahoma.....	8.6	6.2	2.5	17.3	22.7	40.0
Oregon.....	6.8	4.7	1.8	13.3	43.3	56.6
Pennsylvania.....	16.3	9.8	17.1	43.2	102.0	145.2
Rhode Island.....	2.1	1.3	1.6	5.0	11.7	16.7
South Carolina.....	5.4	4.5	1.5	11.4	20.6	32.0
South Dakota.....	6.1	4.4	.5	11.0	10.6	21.6
Tennessee.....	8.6	6.8	3.3	18.7	74.1	92.8
Texas.....	26.3	17.6	10.9	54.8	113.0	167.8
Utah.....	4.6	3.0	.9	8.5	23.4	31.9
Vermont.....	2.0	1.3	.4	3.7	23.6	27.3
Virginia.....	7.7	6.0	3.5	17.2	105.9	123.1
Washington.....	6.8	4.6	3.4	14.8	45.3	60.1
West Virginia.....	4.4	3.9	1.4	9.7	31.3	41.0
Wisconsin.....	9.4	6.6	4.5	20.5	26.3	46.8
Wyoming.....	5.1	3.4	.2	8.7	26.0	34.7
Hawaii.....	2.0	1.3	.8	4.1	-----	4.1
District of Columbia.....	2.0	1.3	2.0	5.3	24.8	30.1
Puerto Rico.....	2.1	2.2	2.0	6.3	-----	6.3
Alaska.....	8.2	5.6	.1	13.9	-----	13.9
Total.....	405.0	270.0	225.0	900.0	2,500.00	3,400.0



*Approximate apportionments of Federal-aid highway funds for fiscal year 1961 pursuant to S. 3414<sup>1</sup>*

[Millions of dollars]

State	ABC funds			
	Primary	Secondary	Urban	Total
Alabama.....	8.6	6.7	2.9	18.2
Arizona.....	5.9	4.0	.9	10.8
Arkansas.....	6.6	5.3	1.3	13.2
California.....	19.5	10.1	20.1	49.7
Colorado.....	7.3	4.9	1.9	14.1
Connecticut.....	2.7	1.3	4.4	8.4
Delaware.....	2.0	1.3	.5	3.8
Florida.....	6.4	4.2	4.1	14.7
Georgia.....	9.7	7.5	3.3	20.5
Idaho.....	5.0	3.5	.4	8.9
Illinois.....	15.7	8.6	15.8	40.1
Indiana.....	9.5	6.6	5.4	21.5
Iowa.....	9.5	7.0	2.7	19.2
Kansas.....	9.5	6.7	2.1	18.3
Kentucky.....	7.5	6.2	2.4	16.1
Louisiana.....	6.3	4.6	3.3	14.2
Maine.....	3.4	2.4	.9	6.7
Maryland.....	3.8	2.3	3.8	9.9
Massachusetts.....	5.3	2.0	9.4	16.7
Michigan.....	12.8	7.8	10.6	31.2
Minnesota.....	10.4	7.4	3.7	21.5
Mississippi.....	7.1	6.0	1.2	14.3
Missouri.....	11.5	7.8	5.5	24.8
Montana.....	8.1	5.6	.5	14.2
Nebraska.....	8.0	5.6	1.3	14.9
Nevada.....	5.0	3.4	.2	8.6
New Hampshire.....	2.0	1.3	.7	4.0
New Jersey.....	5.4	1.8	9.9	17.1
New Mexico.....	6.5	4.4	.7	11.6
New York.....	19.7	8.0	30.3	58.0
North Carolina.....	10.0	8.6	2.9	21.5
North Dakota.....	5.7	4.1	.4	10.2
Ohio.....	14.1	8.5	13.1	35.7
Oklahoma.....	8.6	6.2	2.5	17.3
Oregon.....	6.8	4.7	1.8	13.3
Pennsylvania.....	16.3	9.8	17.1	43.2
Rhode Island.....	2.1	1.3	1.6	5.0
South Carolina.....	5.4	4.5	1.5	11.4
South Dakota.....	6.1	4.4	.5	11.0
Tennessee.....	8.6	6.8	3.3	18.7
Texas.....	26.3	17.6	10.9	54.8
Utah.....	4.6	3.0	.9	8.5
Vermont.....	2.0	1.3	.4	3.7
Virginia.....	7.7	6.0	3.5	17.2
Washington.....	6.8	4.6	3.4	14.8
West Virginia.....	4.4	3.9	1.4	9.7
Wisconsin.....	9.4	6.6	4.5	20.5
Wyoming.....	5.1	3.4	.2	8.7
Hawaii.....	2.0	1.3	.8	4.1
District of Columbia.....	2.0	1.3	2.0	5.3
Puerto Rico.....	2.1	2.2	2.0	6.3
Alaska.....	8.2	<sup>1</sup> 5.6	.1	13.9
Total.....	405.0	270.0	225.0	900.0

<sup>1</sup> S. 3414 also authorizes \$2,500,000,000 of interstate funds for the fiscal year 1961, but does not specify the basis for apportionment to States.

Section 2 (e) of S. 3414 authorizes the appropriation of \$115 million for the purpose of assisting any State in meeting the requirements for State funds to match any sums apportioned to such State from the \$400 million additional authorized for fiscal year 1959. All or part of this \$115 million could be used by the Secretary of Commerce upon the request of any State to increase the Federal share payable on account of any project provided for by this additional authorization, with the provision that the amount of the increase of the Federal share shall not exceed two-thirds of the State's share of the cost of the project. The total amount of such increases in the Federal share as are made under this authorization would be reimbursed to the Federal Government by deduction of sums equal to the amounts so expended for projects on the Federal-aid primary, secondary, and urban systems, in two equal amounts from sums subsequently apportioned to the States from funds authorized to be appropriated therefor for fiscal years 1961 and 1962.

Approval by the Secretary of Commerce of any project for which the Federal share is increased shall be considered a contractual obligation of the Federal Government for the payment of such increase in the Federal share, and such funds would be deemed to have been expended when so obligated.

It is declared to be the intent of Congress that the \$400 million additional authorized for fiscal year 1959 would be supplementary to, and not in lieu of, any sum heretofore or herein authorized for expenditure on the Federal-aid primary, secondary, or urban systems, but would be made available for immediate acceleration of the rate of highway construction on these systems beyond that being accomplished with funds otherwise authorized.

The advances that could be made and the State matching funds required under section 102 (e) are shown in the following tabulation:

## ABC approximate apportionment

{Thousands of dollars}

State	Fiscal year 1959 additional \$400,000	State matching (70 percent Federal-30 percent State) sliding scale	
		$\frac{3}{4}$	$\frac{1}{4}$
Alabama.....	8,089	2,311	1,156
Arizona.....	4,806	649	324
Arkansas.....	5,878	1,679	840
California.....	22,076	4,945	2,473
Colorado.....	6,259	1,470	736
Connecticut.....	3,734	1,067	533
Delaware.....	1,706	487	244
Florida.....	6,544	1,870	935
Georgia.....	9,118	2,605	1,303
Idaho.....	3,937	789	394
Illinois.....	17,804	5,087	2,543
Indiana.....	9,543	2,727	1,363
Iowa.....	8,523	2,435	1,218
Kansas.....	8,122	2,321	1,160
Kentucky.....	7,138	2,039	1,020
Louisiana.....	6,305	1,801	901
Maine.....	2,976	850	425
Maryland.....	4,395	1,256	628
Massachusetts.....	7,420	2,120	1,060
Michigan.....	13,856	3,959	1,979
Minnesota.....	9,544	2,727	1,363
Mississippi.....	6,374	1,821	911
Missouri.....	11,041	3,155	1,577
Montana.....	6,324	1,487	744
Nebraska.....	6,630	1,894	947
Nevada.....	3,839	277	138
New Hampshire.....	1,798	514	257
New Jersey.....	7,586	2,167	1,084
New Mexico.....	5,170	987	493
New York.....	25,766	7,362	3,681
North Carolina.....	9,559	2,731	1,366
North Dakota.....	4,510	1,289	644
Ohio.....	15,878	4,537	2,268
Oklahoma.....	7,667	2,191	1,095
Oregon.....	5,900	1,165	583
Pennsylvania.....	19,218	5,491	2,745
Rhode Island.....	2,219	634	317
South Carolina.....	5,067	1,448	724
South Dakota.....	4,880	1,173	586
Tennessee.....	8,295	2,370	1,185
Texas.....	24,334	6,953	3,476
Utah.....	3,798	459	230
Vermont.....	1,657	473	237
Virginia.....	7,653	2,188	1,094
Washington.....	6,562	1,691	846
West Virginia.....	4,325	1,236	618
Wisconsin.....	9,100	2,600	1,300
Wyoming.....	3,887	705	352
Hawaii.....	1,838	525	263
District of Columbia.....	2,369	677	338
Puerto Rico.....	2,799	800	400
Alaska.....	6,179	1,765	883
Total.....	400,000	107,959	53,980



The committee realizes that some of the States are behind schedule in obligating apportionments previously made, and many are ahead of schedule, but none of the apportionments have thus far been permitted to lapse. It is hoped that during the coming construction season more of the States will bring their schedules up to date on current apportionments before utilizing the additional amount made available herein to take advantage of the more favorable matching ratio. Complete obligation of prior apportionments, however, is not made a prerequisite for obtaining funds made available under this additional authorization.

The status of the highway program with respect to obligation of funds is shown in the following tabulation:

*Progress of the Federal-aid highway program—Relationship to fiscal year authorizations, by States, as of Feb. 28, 1958*

State	Percentage of fiscal year's funds covered by contracts advertised and funds obligated					
	Interstate funds			Primary, secondary, and urban funds		
	1959	1958	1957	1959	1958	1957
Alabama.....		31	100	28	100	100
Arizona.....		76	100	30	100	100
Arkansas.....		71	100		30	100
California.....	76	100	100		97	100
Colorado.....		78	100		67	100
Connecticut.....		63	100			(1) 100
Delaware.....			38		85	100
Florida.....		54	100		72	100
Georgia.....		17	100		41	100
Idaho.....			69		67	100
Illinois.....	41	100	100		43	100
Indiana.....			76			86
Iowa.....		52	100	18	100	100
Kansas.....		94	100	38	100	100
Kentucky.....		32	100		71	100
Louisiana.....		57	100		24	100
Maine.....		19	100		67	100
Maryland.....	68	100	100		29	100
Massachusetts.....		77	100		93	100
Michigan.....		65	100		60	100
Minnesota.....		97	100	11	100	100
Mississippi.....	1	100	100		70	100
Missouri.....	21	100	100		95	100
Montana.....			85		79	100
Nebraska.....		14	100		99	100
Nevada.....		40	100		90	100
New Hampshire.....		57	100		67	100
New Jersey.....		40	100			89
New Mexico.....	49	100	100	41	100	100
New York.....	36	100	100		71	100
North Carolina.....		40	100		63	100
North Dakota.....		63	100		95	100
Ohio.....	97	100	100		56	100
Oklahoma.....		64	100		72	100
Oregon.....		98	100	23	100	100
Pennsylvania.....		75	100		64	100
Rhode Island.....		96	100		56	100
South Carolina.....			94		15	100
South Dakota.....			81		59	100
Tennessee.....		35	100		55	100
Texas.....		88	100	15	100	100
Utah.....		38	100	8	100	100
Vermont.....		40	100		49	100
Virginia.....		92	100		96	100
Washington.....		84	100		67	100
West Virginia.....			30			87
Wisconsin.....		9	100	7	100	100
Wyoming.....	13	100	100	20	100	100
Hawaii.....						94
District of Columbia.....		77	100			20
Puerto Rico.....						24
Alaska.....					71	100
United States average.....		83	100		71	100

<sup>1</sup> State is still obligating 1956 fiscal year's funds.

Additional funds authorized for the regular Federal-aid primary, secondary, and urban systems under the provisions of section 2 of S. 3414 would be matched by the States on a 70-30 basis, with the increase in Federal share payable on any project in any State containing in excess of 5 percent of its area in public lands limited to 25 percent, making the maximum Federal share of the total cost of such project as 95 percent, the same as now established for projects on the Interstate System in such States.

The additional amount authorized for fiscal year 1959 would be available for contracts awarded by State highway departments prior to December 1, 1958, which shall provide for completion of construction prior to December 1, 1959, and any amounts apportioned to a State and remaining unexpended on December 1, 1958, shall lapse. These additional funds will be available for expenditure on the primary, secondary, or urban systems, without limitation as to the percentage to be utilized on any system, which would permit transfer or interchange of apportionments between these systems, and grant the States more flexibility in using the funds where need is greatest and in areas where unemployment is greatest.

It was the hope of the committee that these additional funds authorized for fiscal year 1959, would be utilized largely for construction contracts, with expenditures for acquisition of rights-of-way held to a bare minimum. The object of providing these additional funds was to accelerate construction and provide employment for men in areas remote from the location of the Interstate System. This objective could very easily be defeated if a large portion of this authorization were to be expended in rights-of-way acquisition, thus providing little employment. It was not the intent of the committee to eliminate the construction of projects by local governmental agencies by the force-account method, providing such projects are initiated and completed within the time limits prescribed in the bill.

#### FOREST HIGHWAYS AND FOREST DEVELOPMENT ROADS AND TRAILS

The forest-highway system totals 24,428 miles located in 39 States and in Alaska and Puerto Rico. Approximately half of this mileage is located in the 11 Western States, South Dakota, and Alaska, where the largest national forest areas lie. The system is composed of main and secondary roads within or adjacent to the national forests, and 9,345 miles are located on the Federal-aid primary system, portions of which are on the designated Interstate System, and 10,219 miles are on the Federal-aid secondary system.

This system is a small but highly important segment of the Nation's network of public roads. Forest highways, in addition to being of primary local and area importance, also carry most of the transcontinental traffic across the Rocky Mountains and the coastal ranges as well as a large amount of the interstate traffic in other areas. Although progressive improvement of the forest-highway system has been accomplished over a period of many years by the cooperative efforts of the States, counties, and the Federal Government, the rate of improvement has not kept pace with the ever-increasing demands.

The committee believes that an increase in forest-highway funds is warranted and justified to improve and maintain these highways to



carry the present traffic loads, and to bring them to a condition comparable to the adjoining and connecting roads that are located on lands that are on the local tax rolls. An increase in forest-highway funds from \$30 million to \$36 million for fiscal years 1960 and 1961 is recommended.

The \$30 million authorized for forest highways for fiscal year 1959 was apportioned to the States on November 6, 1957, in accordance with a revised apportionment formula resulting from recent valuation studies by the Forest Service which showed that the value of national forest land had increased approximately 340 percent over the value upon which the apportionment for fiscal year 1958 was based. Under existing law, forest-highway funds are apportioned for expenditure in the several States according to the area and value of the land owned by the Government within the national forests. The law does not specify the weight to be given to the factors of area and value. Prior to the recent reappraisal of value, apportionments have been made giving equal weight to each factor. To minimize the change in distribution of funds as compared with prior years, the Secretaries of Agriculture and Commerce after analysis of the reappraisal of value, made the apportionment of the forest-highway funds for fiscal year 1959 on the basis of 75 percent weight to area and 25 percent to value. This change in formula reduced the apportionments received by some States and increased them in others.

The committee was concerned about this change in apportionment formula by the Secretaries without consultation with State or local officials, or Members of the Congress. It would be difficult to adjust the apportionments already made for fiscal year 1959, and the committee recommends approval of such apportionments. It further recommends that the apportionment of forest-highway funds authorized in this bill for fiscal years 1960 and 1961, be made on a basis which will give each State the same percentage of such funds as if received from the apportionment of funds for fiscal year 1958. The committee has included in the bill provisions for the Secretary of Commerce and the appropriate officers of each State to make a study of the forest-highway situation, including designations, estimated cost to complete construction of all forest highways, a recommended 10-year program for construction of the proposed system, and the method by which such amounts should be apportioned for expenditure in the States. The results of the study are to be reported to the President and the Congress on or before January 1, 1960.

The committee included provisions in the bill that would permit any State to augment the apportionments made to such State for forest highways, by transfer of not to exceed the lesser of \$500,000 or 5 percent of its regular Federal-aid apportionments, for construction, reconstruction, or improvement of its forest highways, such transferred funds to be expended in the same manner as the forest-highway funds without matching. The committee believed that this provision would be particularly advantageous to States whose forest-highway apportionments are small, but which have important segments of forest highways in need of improvement. It is the intent of the committee, however, that these transferred funds be expended only on forest highways that are on a Federal-aid highway system.

Forest-development roads and trails are those routes of primary importance for the protection, administration, and development of



the national forests and the use and development of resources upon which communities within or adjacent to the national forests are dependent. These roads and trails are necessary to permit economical marketing of timber on a sustained-yield basis from the national forests and other Federal land, and constitute an investment by the Government that will return to the Treasury many times their cost.

Representatives of the Forest Service advised the committee that 400,000 miles of roads are needed to establish a complete road system in our national forests but that its detailed estimates of costs are not complete. In order to assure that the Congress will have ample opportunity to cooperate in the development of a long term road program when it reconsiders forest road matters in 1960, the committee will request the Department of Agriculture to submit a detailed program as soon as possible. This program should include estimates of road requirements for timber harvesting, recreational use, general use and protection, and the cost thereof, for each national forest and summarized by States. Forecasts of the type of roads that should be constructed with appropriated funds and those that should be built as a part of timber sale contracts should also be provided, with sufficient information on national forest resources and use potential to establish the economic justification for an adequate road program. Information should be furnished on the benefits to various forest activities that will be realized by implementation of a long-range program as well as losses to the economy that will occur if a long-range program is not promulgated.

In connection with the above data, the Department of Agriculture should set forth any legislation that may be needed to promote the most effective operation of a forest road program utilizing both appropriated funds and timber purchaser road construction.

The Department of Agriculture now has the power to condemn a right-of-way needed to assure proper and timely timber harvesting. Where timber harvest needs are urgent and arrangements cannot be made to harvest timber before it is depreciated as a result of insect attacks or fire, the committee believes that consideration should be given to prompt exercise of the power of eminent domain.

According to testimony received, the returns to the Treasury from timber sold from our national forests is now about \$110 million annually, and the loss to the Federal Government through inability to market mature timber is about \$50 million annually. In many areas it was stated that at least 50 percent more timber could be marketed if adequate access roads were available.

Forest trails supplement the development road network and extend access into areas where roads are impracticable, uneconomic, or prohibited by administrative policy. These trails are of major importance for fire protection, administration of livestock grazing, and for public enjoyment of recreation and wildlife resources.

Federal funds have been made available under the authorizations for forest-development roads and trails in various Federal-aid highway acts, and the act of March 4, 1913, grants authority to use 10 percent of the receipts from the national forests for the construction of roads and trails. In addition, many miles of forest-development roads and timber access roads are constructed by timber purchasers, with the estimated cost of such roads deducted from the appraised price for the timber. This procedure restricts bidding opportunities

on many timber sales and eliminates the many small operators who are not financially able or do not have the equipment to construct the road to reach the timber stand sold, thus practically eliminating competitive bidding on many timber sales and adversely affecting payments to local governments and the Treasury. The lack of forest development roads to properly harvest the ripe timber in our national forests, permit cutting insect-infested trees, salvage timber in wind-blown or burned-over areas, is a real and staggering loss to our economy. Since 25 percent of the funds from timber sales in national forests is returned to the counties in which the forests are located, failure to harvest the available timber to its maximum allowable cut, results in an economic loss to those counties, many of which have large percentages of their areas in national forest lands which are not on the local tax rolls.

The committee is also impressed by the need in certain areas to step up road and trail construction to eliminate terrifying fire hazards in vital watersheds. The House Interior and Insular Affairs Committee hearings on forest-fire control in southern California spotlight a most aggravated problem facing the Nation. Properly constructed and controlled roads will enable Forest Service fire fighters to attack these fires which denude the brush-covered hills and permit subsequent rains to flood heavily populated areas with debris and water.

The committee believes it to be in the interests of the Federal Government to protect its natural resource represented by the national forests, and to develop that resource for the benefits that will be realized, not only in cash returns, but also in making available large areas for recreation and enjoyment of our citizens. It therefore recommends increasing the authorization of funds for forest development roads and trails from the present \$27 million to \$34 million for each of the fiscal years 1960 and 1961.

The approximate apportionment of forest highway funds is as follows:

*Approximate apportionments of forest highway funds*

[Millions of dollars]

State	Fiscal year 1958 actual (50 percent area; 50 percent value)	Fiscal year 1959 actual (75 percent area; 25 percent value)	Fiscal year 1960 (36÷30 percent of 1958 apportionment)
Alabama.....	0.1	0.1	0.1
Arizona.....	1.7	1.5	2.0
Arkansas.....	.4	.5	.5
California.....	4.3	4.1	5.2
Colorado.....	2.2	1.9	2.6
Connecticut.....			
Delaware.....			
Florida.....	.2	.2	.2
Georgia.....	.1	.1	.1
Idaho.....	3.1	2.9	3.7
Illinois.....	(1)	(1)	(1)
Indiana.....	(1)	(1)	(1)
Iowa.....	(1)	(1)	(1)
Kansas.....			
Kentucky.....	.1	.1	.1
Louisiana.....	.1	.1	.1
Maine.....	(1)	(1)	(1)
Maryland.....			
Massachusetts.....			
Michigan.....	.3	.4	.4
Minnesota.....	.4	.4	.5
Mississippi.....	.1	.2	.2
Missouri.....	.1	.2	.2
Montana.....	2.4	2.3	2.9
Nebraska.....	(1)	(1)	(1)
Nevada.....	.5	.7	.7
New Hampshire.....	.2	.1	.2
New Jersey.....			
New Mexico.....	1.2	1.2	1.5
New York.....			
North Carolina.....	.2	.2	.2
North Dakota.....	(1)	(1)	(1)
Ohio.....	(1)	(1)	(1)
Oklahoma.....	(1)	(1)	(1)
Oregon.....	4.1	4.3	5.0
Pennsylvania.....	.1	.1	.1
Rhode Island.....			
South Carolina.....	.1	.1	.1
South Dakota.....	.2	.2	.3
Tennessee.....	.1	.1	.1
Texas.....	.1	.2	.1
Utah.....	1.0	1.0	1.2
Vermont.....	.1	(1)	.1
Virginia.....	.2	.2	.2
Washington.....	2.1	2.5	2.5
West Virginia.....	.1	.1	.1
Wisconsin.....	.2	.2	.2
Wyoming.....	1.3	1.1	1.5
Alaska.....	2.6	2.7	3.1
District of Columbia.....			
Puerto Rico.....	(1)	(1)	(1)
Total.....	30.0	30.0	36.0

<sup>1</sup> Less than 0.05.



## PARK ROADS AND TRAILS

Information was presented to the committee that the roads and trails in national parks are deteriorating seriously because of a greatly increased volume of visitors and traffic to our parks, together with the lack of adequate funds for improvement and maintenance of such roads. The National Park Service has underway Mission 66 program for improvement of the national parks to care for the large number of people who visit our parks each year. The committee believes that since these roads and trails are a prime responsibility of the Federal Government, the authorization therefor should be increased to provide for an accelerated improvement program in our national parks and monuments. Accordingly, an increase in authorization from \$16 million to \$20 million is recommended.

## PARKWAYS

The committee recommends an authorization of \$16 million annually for each of the fiscal years 1960 and 1961, for the construction, reconstruction, and improvement of parkways authorized by law and on lands to which the title is vested in the United States. The testimony indicated that a large backlog of work exists for these roads for which responsibility lies wholly with the Federal Government. They are important links in our transportation system and should be constructed and maintained to a condition comparable to the adjoining State-owned Federal-aid roads. Traffic over our completed parkways has followed the national pattern and increased tremendously, placing an ever-increasing demand for additional funds for construction and maintenance.

## INDIAN ROADS

The program for construction of roads and bridges on Indian reservations has been lagging behind the imperative needs for many years. Most of our Indian reservations are isolated and are not even served by any reliable or adequate transportation facilities. The health, education, and welfare of the Indian population and the administration of their reservations are almost entirely dependent upon highway transportation. The committee eliminated the provision for maintenance of Indian roads under this authorization, believing that they should obtain funds for maintenance in their annual appropriation. This procedure would provide a moderate increase in construction funds which could be used for construction or reconstruction of badly deteriorated roads and put them in condition to be taken over by the counties for maintenance, thus relieving the Government of all future responsibility in that respect.

## PUBLIC LANDS HIGHWAYS

The committee was advised that there are still many cases existing where sections of important highways lying entirely on the Federal Government domain have not been improved, due largely to the lack of habitation on such lands and the inability of the States to spread their highway funds far enough to reach such roads. Authorizations which have been previously provided to take care of such cases have been exhausted. Upon the basis of estimates of the Bureau of Public

Roads that the present backlog of requests for funds of this category is in excess of \$15 million, the committee feels that a further authorization of \$4 million per year for a period of 2 years is warranted to accomplish the improvement of some of the remaining links falling within this class, most of which are on a Federal-aid system.

#### SPECIAL PROVISIONS FOR FEDERAL DOMAIN ROADS

The committee has continued the special provisions for Federal-domain roads, including the contract authority to the Secretary of the Department charged with the administration of such funds, to incur obligations, approve projects, and enter contracts under authorizations for forest highways, forest-development roads and trails, park roads and trails, parkways, Indian roads, and public-lands highways. Such funds would be available for contract upon apportionment or a date not earlier than 1 year preceding the beginning of the fiscal year for which authorized if no apportionment is required. The committee was disturbed, however, by reports that the contractual authority for roads in these classifications has not been used to the fullest extent, in spite of the great need for such projects in the Western States, particularly on forest and public-land highways. When this authority was granted, it was expected that better progress in improving these systems would result, consistent with the objective for which the authorization amounts were increase, for bringing our entire national highway transportation system up to the standards needed to meet the traffic demands, and these miscellaneous roads on Federal lands are a part of that system, and are largely dependent on Federal funds for their improvement.

#### AUTHORIZATION OF APPROPRIATIONS FOR INTERSTATE SYSTEM

Section 7 of S. 3414 amends the Federal-Aid Highway Act of 1956 by increasing the authorization for appropriations for fiscal year 1959 by \$200 million, and that of each of the fiscal years 1960 and 1961 by \$300 million, for expediting the construction, reconstruction, and improvement of the Interstate System. The additional amount authorized for fiscal year 1959 would be apportioned immediately upon enactment of this act in accordance with the formulas established by law and in the manner now provided by law.

The committee recommends approval of the estimate of cost of completing the Interstate System recently transmitted to Congress, as a basis for making the apportionment to the States of the funds authorized for the Interstate System for the fiscal year 1960. The committee further recommends that the Secretary of Commerce be authorized and directed to apportion among the States in the manner provided by existing law and the provisions of this act, all of the funds authorized for the fiscal years 1959 and 1960, for the Interstate System and the Federal-aid primary, secondary, and urban systems, notwithstanding the provisions of section 209 (g) of the Highway Revenue Act of 1956.

Those provisions which are suspended for this 2-year period relate to adjustments of apportionments to the States when the Secretary of the Treasury determines that there will be insufficient sums in the highway trust fund to defray the expenditures which will be required



as a result of apportionment to the States of the full amounts authorized for expenditure on the Interstate System.

The committee recommends authorization of these additional sums for the Interstate System for the fiscal years 1959, 1960, and 1961, as it believes it absolutely essential that construction work on the Interstate System be stepped up to keep that system on schedule on the basis of present cost estimates, for the 3-year period, as it is highly desirous that the Interstate System be completed within the originally scheduled period, and that there be no stretchout beyond that period. It is believed that prudent programming of these additional funds in the States having critical unemployment situations will go a long way toward halting any slight recession, stop any downward turn in the economy, and result in improved economic conditions and savings to the Federal Government in the long run.

The committee considers section 9 of S. 3414, suspending the provisions of section 209 (g) as the major and focal point of the entire bill.

This section would authorize and direct the Secretary of Commerce to apportion all of the primary, secondary, urban, and interstate funds authorized for the fiscal years 1959 and 1960 by this bill and by the Federal-Aid Highway Act of 1956, notwithstanding the provisions of section 209 (g) of the act approved June 29, 1956 (70 Stat. 374). Section 209 (g) prohibits the Secretary from apportioning the full amounts of Federal-aid interstate authorizations to the States if the estimated amounts which will be available in the highway trust fund will be insufficient to meet the expenditures resulting from apportionments. An analysis of current estimates of trust fund receipts and Federal-aid expenditures shows that the amounts which will be available in the trust fund will not be sufficient to meet required expenditures if the full amount of the interstate authorizations for 1959 and 1960 are apportioned and thereby made available to the States for obligation and expenditure.

Estimated revenues accruing to the highway trust fund during the fiscal year 1958 amounted to \$2.043 billion. This was substantially less than the \$2.550 billion of Federal-aid highway authorizations for that year. For the fiscal year 1959 estimated revenues available total \$2.066 billion compared with authorizations of \$2.875 billion. Due to the time lag from the date of apportionment of funds until the date of expenditure for work done, it has been possible to apportion the authorizations heretofore made for 1959 with the assurance that sufficient revenues will be available to meet the required expenditures.

Based on an analysis of estimated trust fund receipts and estimated Federal-aid expenditures under S. 3414, a deficiency in the trust fund would result early in the fiscal year 1960 and would be expected to approximate \$1.7 billion by the close of that fiscal year. If the provisions of section 209 (g) were applicable, at least this amount would be withheld from apportionment. The Federal-aid highway construction program would be sharply curtailed accordingly at the very time when it should be accelerated to accomplish urgently needed highway improvements and provide increased business activity and employment resulting from highway construction.

In line with the declarations of congressional intent expressly set forth in the Federal-Aid Highway Act of 1956 with respect to accelera-



tion and prompt completion of the Interstate System, it is the view of the committee that the full amount of the authorizations for 1959 and 1960 should be apportioned and made available for expenditure as provided in the bill.

The committee only recommends approval of the estimate of cost of completing the Interstate System as a basis for making the apportionment of the authorized funds for fiscal year 1960. It was thought that by early 1959, better data on cost trends would be available, and more reliable information available on a comparison of the cost estimates and contract bidding experience on highway work.

#### PAYMENT FOR STOCKPILED MATERIAL

State highway departments in many States are required by State law or regulation to pay contractors on Federal-aid highway projects for materials placed in stockpiles along the right-of-way of a proposed highway. Under the Federal-Aid Highway Act the Bureau of Public Roads cannot reimburse the States until these materials are incorporated into the highways. In many of the northern and western States, these materials may be stockpiled in the fall for use the following summer or fall when the highway is built. The State would thus have a large amount of funds invested in stockpiled material along the road. This might result in such State having a shortage of matching funds. This is especially true when it is considered that \$1 million of State funds tied up in stockpiled materials represents about \$10 million of interstate construction. The committee believes it fair and equitable for payment to the States of the Federal pro rata share of the value of these materials when they are stockpiled for use on a Federal-aid project, and are so certified by the State.

#### RELOCATION OF UTILITIES

The Secretary of Commerce advised the committee that he felt that Congress should give consideration to the problem of whether and the extent to which utility facilities should be permitted to occupy the rights-of-way of highways on the Interstate System. The geometric and construction standards adopted for the Interstate System includes provisions deemed essential for the safe, efficient, and rapid movement of traffic. The installation of utility facilities within the rights-of-way of highways constructed to such standards, and particularly the utilization of the main-traveled roadway as a service road for the installation, maintenance, and repair of utility facilities, are inconsistent with the purposes for which such standards were adopted.

The committee has had the problem of reimbursement to the States for relocation of utility facilities under consideration for several years. Federal-aid funds are available for participation in the cost of highway rights-of-way, and when it becomes necessary to acquire property for this purpose from utilities, Federal-aid funds are used to participate to the same extent as if the property were owned by a private individual. If the cost of relocating utility facilities is found to be a proper measure of just compensation for property rights taken for the right-of-way of a Federal-aid highway, Federal-aid funds participate in such costs. There remains the question, however, whether Federal-aid funds

should be used to participate in the cost of relocating utility facilities where no vested property right is taken, and the utility is not entitled to compensation under State law. Where the utilities occupy the highway rights-of-way as a privilege and have acquired no vested interest in the rights-of-way, most States formerly required the utilities to bear the cost of relocating their facilities when such relocation was necessary to permit highway improvement.

Since the enactment of the Federal-Aid Highway Act of 1956, which increased the Federal share of the cost of constructing the Interstate System to 90 percent, and up to 95 percent in some public land States, and expressly authorized the use of Federal-aid funds for reimbursement of the cost of relocating utility facilities, significant action has been taken in many State legislatures. During 1956 and 1957, legislation which would provide for payment by the State of the cost of relocating public-utility facilities was considered by the legislative assemblies in 40 States. Such legislation was passed in 22 States, but was vetoed in 6 States, so it became law in 16 States. Under these 16 State laws only 1 State will pay the cost of relocating utility facilities on all State-maintained highways, 5 relate to all Federal-aid projects, and 10 relate to the projects on the Interstate System only, where the Federal share of the cost is at least 90 percent.

The committee did not contemplate this drastic change in existing practices when the 1956 act was enacted, and realizes that the use of Federal funds for reimbursement to the States for this purpose will increase substantially, thereby reducing the amount of Federal funds available for construction of highways.

The committee recommends an amendment to section 111 of the Federal-Aid Highway Act of 1956, to authorize the Secretary of Commerce to reimburse a State from Federal funds for the cost of relocation of utility facilities necessitated by construction of a project on any of the Federal-aid highway systems, whenever a State under State laws is required to pay for all or any part of such cost. Federal funds shall be used for such reimbursement in the same proportion as such funds are expended on the project, not to exceed 70 percent of such cost which the State is obligated to pay. Such reimbursement would be made only after presentation of satisfactory evidence to the Secretary of Commerce that the State has paid such cost from its own funds. These amended provisions would only apply to Federal-aid highway projects covered by formal project agreements executed by the Secretary subsequent to the date of enactment of this act.

Under this proposed amendment, it was the intent of the committee that reimbursement to the States from Federal funds for utility relocations would be made only on the basis of State funds actually expended for such purposes, and not for funds paid, advanced, donated, or contributed, by or from any other source.

A summary of State legislative action with respect to the authorization of utility relocation costs is as follows:

In all, 40 States have considered legislation which would provide for payment by the State of the cost of relocating utility facilities during the 1956 and 1957 sessions. Of these, 39 were considered during the past year. Massachusetts enacted its reimbursement statute in 1956.



During the 1957 session:

(a) Such proposals were favorably considered in 21 legislatures; 15 became law—Connecticut, Delaware, Florida, Idaho, Illinois, Maine, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, Tennessee, Texas, and Utah; while 6 were vetoed—Colorado, Kansas, New York, Pennsylvania, Rhode Island, and Wyoming.

(b) In 18 legislatures, such measures were either defeated, withdrawn or not acted on: Alabama, Arizona, Arkansas, California, Georgia, Indiana, Iowa, Maryland, Michigan, Missouri, New Hampshire, Ohio, Oregon, South Dakota, Vermont, Washington, West Virginia, and Wisconsin.

(c) The Legislatures of Kentucky, Mississippi, and Virginia did not meet during 1957, while no measures of this type were introduced in Louisiana (budget session only), Nevada, New Jersey, North Carolina, and South Carolina. In addition, studies of the problem of utility relocation and its cost were authorized in Arkansas, Michigan, and Minnesota. New York and Washington adopted laws which limited reimbursement to municipally owned facilities. Of all the measures proposed, regardless of final disposition, 38 related either to all Federal-aid highway projects or the Interstate System alone, while only those in California and Connecticut related to all State highways. Of the 16 relocation laws passed—

(1) Ten relate only to projects on the Interstate System—Delaware, Florida, Illinois, Maine, Minnesota, Nebraska, North Dakota, Oklahoma, Tennessee, and Texas. Five relate to all Federal-aid projects—Idaho, Massachusetts, Montana, New Mexico, and Utah. One relates to all State maintained highways—Connecticut.

(2) The laws of Massachusetts and Illinois give the highway authorities discretion in the matter of whether or not the utilities should be paid for relocating facilities.

(3) Nebraska and North Dakota specifically made reimbursement subject to existing contracts between the utilities and the State or local governments.

While only New Mexico and Texas provided that existing contracts are not a bar to payment, it is apparent from the language of the laws of the other 12 States that such contracts are not an obstacle to reimbursement. (Minnesota is now in the process of rewriting its existing utility contracts on this point.)



Information on State legislative action with respect to the authorization of payment of utility relocation costs, September 1957

State	Intro- duced bills	Types of utilities covered	Classes of highways involved	Disposition of bill	Gubernatorial action	Reimbursement	
						Mandatory or permissive	Subject to or regardless of ex- isting contracts
Alabama.....	Yes.....	Any.....	All Federal-aid systems.....	Adjourned.....	.....	.....	.....
Arizona.....	do.....	All.....	do.....	Killed.....	.....	.....	.....
Arkansas.....	do.....	Any.....	do.....	Defeated.....	.....	.....	.....
California.....	do.....	All.....	Any State highway.....	do.....	.....	.....	.....
Colorado.....	do.....	do.....	All Federal-aid systems.....	Passed.....	.....	.....	.....
Connecticut.....	do.....	do.....	Any State trunk highway.....	do.....	.....	Mandatory.....	Not mentioned.
Delaware.....	do.....	do.....	Interstate System only.....	do.....	.....	do.....	Do.
Florida.....	do.....	do.....	do.....	do.....	.....	do.....	Do.
Georgia.....	do.....	Any.....	All Federal-aid systems.....	Defeated.....	.....	Mandatory.....	Do.
Idaho.....	do.....	All.....	do.....	Passed.....	.....	Permissive.....	Do.
Illinois.....	do.....	do.....	Interstate System only.....	do.....	.....	.....	.....
Indiana.....	do.....	do.....	All Federal-aid system.....	Defeated.....	.....	.....	.....
Iowa.....	do.....	do.....	do.....	do.....	.....	.....	.....
Kansas.....	do.....	do.....	Interstate System only.....	Passed.....	Vetoed.....	.....	.....
Kentucky.....	(1).....	.....	.....	.....	.....	.....	.....
Louisiana.....	(2).....	.....	.....	.....	.....	.....	.....
Maine.....	Yes.....	All.....	Interstate System only.....	Passed.....	Signed.....	Mandatory.....	Do.
Maryland.....	do.....	Any.....	do.....	Defeated.....	.....	.....	.....
Massachusetts.....	do.....	All.....	All Federal-aid system.....	Passed.....	Signed.....	Permissive.....	Do.
Michigan.....	do.....	do.....	do.....	Adjourned.....	.....	Mandatory.....	Do.
Minnesota.....	do.....	Any.....	Interstate System only.....	Passed.....	Signed.....	.....	.....
Mississippi.....	(1).....	All.....	All Federal-aid system.....	Adjourned.....	.....	.....	.....
Missouri.....	Yes.....	Any.....	do.....	Passed.....	Signed.....	Mandatory.....	Do.
Montana.....	do.....	do.....	Interstate System only.....	do.....	do.....	do.....	Subject to.
Nebraska.....	do.....	do.....	.....	.....	.....	.....	.....
Nevada.....	(2).....	.....	.....	.....	.....	.....	.....
New Hampshire.....	Yes.....	Any.....	Interstate System only.....	Adjourned.....	.....	.....	.....
New Jersey.....	(2).....	.....	.....	.....	.....	.....	.....
New Mexico.....	Yes.....	Any.....	All Federal-aid system.....	Passed.....	Signed.....	Mandatory.....	Regardless.
New York.....	do.....	All.....	do.....	do.....	Vetoed.....	.....	.....
North Carolina.....	(2).....	.....	.....	.....	.....	.....	.....
North Dakota.....	Yes.....	All.....	Interstate System only.....	Passed.....	Signed.....	Mandatory.....	Subject to.
Ohio.....	do.....	do.....	All Federal-aid system.....	Adjourned.....	.....	.....	.....
Oklahoma.....	do.....	do.....	Interstate System only.....	Passed.....	Signed.....	Mandatory.....	Not mentioned.
Oregon.....	do.....	do.....	All Federal-aid system.....	Tabled.....	Vetoed.....	.....	.....
Pennsylvania.....	do.....	do.....	do.....	do.....	do.....	.....	.....
Rhode Island.....	do.....	do.....	.....	.....	.....	.....	.....
South Carolina.....	do.....	do.....	.....	.....	.....	.....	.....
South Dakota.....	(2).....	do.....	.....	.....	.....	.....	.....
Tennessee.....	Yes.....	All.....	All Federal-aid system.....	Defeated.....	Signed.....	Mandatory.....	Do.
.....	do.....	Any.....	Interstate System only.....	Passed.....	.....	.....	.....

[illegible]

<sup>1</sup> Legislature did not meet during the year 1957.

<sup>2</sup> No legislation of this type considered during the 1957 session.

Regardless.  
Not mentioned.

## CONTROL OF ADVERTISING

The Committee on Public Works has been concerned for some time over the prospects of having an excessive number of signs and outdoor advertising billboards located along the new highways comprising the National System of Interstate and Defense Highways. When a Federal-aid highway bill was reported to the Senate by the committee in 1955 it included provisions to permit the Secretary of Commerce to acquire exclusive advertising rights on lands adjoining the rights-of-way acquired and not exceeding 500 feet therefrom. This provision would have applied only to those States which had no access control laws and which requested the Secretary to acquire rights-of-way for the Interstate System. The advertising rights so acquired by the Secretary would have been conveyed to the States at the same time the right-of-way itself was so conveyed. That provision was deleted from the bill on the Senate floor.

During the 1st session of the 85th Congress, a bill, S. 963, was referred to the committee for consideration. That bill would encourage and assist the State to regulate the use of and to improve areas adjacent to the Interstate System by directing the Secretary of Commerce to prepare and publish recommended standards for the regulation and control of advertising signs, displays, and devices within or adjacent to the rights-of-way of such system, with limitations on the types of signs to be permitted, subject to agreements between the States and the Secretary of Commerce covering projects, and increasing the Federal share of projects covered by such agreements by three-fourths of 1 percent of the total cost thereof. The Secretary would apply the standards established to federally owned or controlled lands on which the Interstate System is located.

The subcommittee held public hearings on S. 963 for a total of 7 days, receiving testimony from about 70 persons and organizations. The subcommittee approved the bill with amendments, but it was not approved by the full committee.

During the present session of the 85th Congress, two additional bills (S. 3041 and S. 3218) relating to control of advertising adjacent to the Interstate System, were referred to the Committee on Public Works. The subcommittee held hearings on the 3 related bills on March 10, 1958, receiving testimony and statements from 30 witnesses. After considering the matter, an amendment, including certain features of the pending bills, was adopted by the committee for inclusion in S. 3414.

Some States now have laws that permit a certain degree of control over the location, erection, or maintenance of commercial signs and outdoor advertising adjacent to their highways. This State control varies in scope and effectiveness between the different States, and the committee feels that Federal leadership is essential if adequate control of advertising along the Interstate System is to be achieved. The committee believes that uncontrolled advertising along such system will decrease its efficiency, impair its safety qualities and detract from the enjoyment of the users.

Federal regulation prohibits the erection of signs on rights-of-way on Federal-aid projects, and rights-of-way and adjacent areas over federally owned or controlled lands, but the Federal Government does not now have authority to control advertising on private lands



along the Interstate System, or to use Federal-aid highway funds to acquire advertising easements, except in certain limited instances under section 11 of the Federal Highway Act of 1940, where the acquisition of such rights alone would be sufficient for preservation of the natural beauty.

It has been realized that the rapid, efficient, pleasant, and safe movement of motor vehicles depends upon proper development in the roadside areas, as well as on the highway itself. Unregulated signs may distract the attention of the motorists and also offend esthetically by destroying the natural beauty of the landscape. With much of the Interstate System extending through open areas and on new locations which are not presently zoned for any type of development, it could become lined with signs and displays unless some form of regulation is exercised for preservation of its natural beauty and the safety of its users.

There appears to be a widespread feeling throughout the country that advertising adjacent to the Interstate System should be regulated in order to preserve the beauty and pleasing character of the natural landscape and in the interest of highway safety, and that the Federal Government has an obligation to take appropriate action to encourage such regulation. This feeling is based largely on the fact that highway-user taxes, collected by the Federal Government, will provide 90 percent of the funds spent on construction of the Interstate System.

The committee believes that this system belongs to all the people of the Nation, and should be protected against factors which decrease its safety, and efficiency. It is of the opinion that immediate regulation of advertising adjacent to the Interstate System is urgent and necessary, and that further delay in obtaining such regulation will result in additional expense, permit completion of sections of the highway without regulation, and make later regulation much more difficult.

By its action in approving the Federal-Aid Highway Act of 1956, the Congress recognized that the character and nature of the Interstate System imposed an obligation on the Federal Government for its improvement, completion, and protection. The provisions of that act require that the right-of-way for the Interstate System be adequate to permit construction of projects to meet approved geometric and construction standards; that access points not be added without the prior approval of the Secretary of Commerce; and that service stations or other commercial establishments serving motorists not be permitted on the rights-of-way; thus recognizing that the movement of motor vehicles rapidly, efficiently, pleasantly, and safely, depends upon both the roadway itself and the adjacent areas.

The committee was of the opinion that erection of signs and advertising along the Interstate System should be regulated, and that additional legislation was required if effective regulation was to be accomplished and the system fully preserved.

The committee recognized that the obligation of the Federal Government with reference to the protection and preservation of the Interstate System must be carried out in a manner consistent with the historic rights of the States. The initiation and prosecution of construction of the Federal-aid highway programs, including the Interstate System, is vested in the States rather than the Federal Government, and the States should have an opportunity to accept or reject the proposal to regulate advertising on lands under their control, and

if accepted they should be the ones to determine the method by which such regulation would be accomplished. The committee believed, however, that some incentive for action by the States should be provided, and that such incentive should not materially increase the cost of completing the system, or hinder or delay the objective of completing the system within the period specified in the act.

The amendment recommended by the committee embodies the ideas and proposals of the majority of the members of the committee, and was adopted after much discussion and deliberation. It declares it to be in the public interest for the Federal Government to assist States to regulate the use of and to improve areas adjacent to the Interstate System, and establishes the procedure for carrying out the desired objectives. It offers an incentive to the States for control and improvement of areas adjacent to the Interstate System for preservation of natural beauty, scenic attractions, and sites of historical significance.

The manner of conforming with the standards established by the Secretary of Commerce in accordance with the amendment is left entirely to the States. They can meet the problem in any desired manner, by amendment to the State constitution, by law, by zoning, by use of powers of eminent domain, police powers, or by acquisition of easement. The amendment specifically provides, however, that the Federal share payable to any project shall not include any costs incurred in carrying out any agreement entered into pursuant to the act. The amendment does provide, however, that the cost of acquisition of the advertising rights when acquired, shall be considered a part of the cost of construction of a project and Federal funds may be used to pay the Federal pro rata share of such cost, with reimbursement to the State not to exceed 5 percent of the cost of the right-of-way for the project. Estimates of costs for carrying out the provisions of this section varied widely, and were the subject of considerable controversy. The committee believes that the costs will be very moderate when compared with the benefits that will be derived from the regulation proposed.

#### SECTION-BY-SECTION ANALYSIS

An analysis of the bill as amended by full Committee on Public Works is as follows:

##### *Section 1*

Section 1 of the bill authorizes the appropriation of \$900 million for each of the fiscal years 1960 and 1961 for expenditure on the regular Federal aid highway systems. The sum authorized for each fiscal year shall be available for expenditure on the systems on the same percentage basis as provided in the preceding Federal-aid highway acts. The division between the highway classifications is as follows:

45 percent (\$405 million) for projects on the Federal-aid primary highway system,

30 percent (\$270 million) for projects on the Federal-aid secondary system, and

25 percent (\$225 million) for projects on the Federal-aid primary highway system in urban areas, and for projects on approved extensions of the Federal-aid secondary system within urban areas.

The bill provides that the sums shall be apportioned among the States in the manner and in accordance with the formulas established



by previous acts, and shall be available for expenditure for 2 years after the close of the fiscal year for which sums are authorized. Any amounts so apportioned that remain unexpended at the end of such period shall lapse. These funds would be matched by the States on a 50-50 basis as provided by existing law.

The bill further provides that the Secretary of Commerce may discharge his responsibility relative to plans, design, contract awards, inspection, and construction of secondary projects by his receiving and approving a certified statement by the State highway department that the design and construction of such projects have been in accordance with the standards and procedures of the respective State, approved by the Secretary in accordance with the objectives of the Federal-Aid Highway Act of 1950, with satisfactory assurances that such secondary projects shall be adequately maintained.

### *Section 2*

This section authorizes the appropriation of an additional amount of \$400 million for fiscal year 1959, which is in addition to \$875 million authorized by the Federal-Aid Highway Act of 1956, and which has already been apportioned to the States, for expenditure on the regular Federal-aid systems. This sum would be apportioned to the States immediately upon enactment of the act with division between the classifications on the same percentage basis as in previous acts and this act, as follows:

- 45 percent (\$180 million) for projects on the Federal-aid primary highway system,

- 30 percent (\$120 million) on the Federal-aid secondary system, and

- 25 percent (\$100 million) for projects on extensions of these systems in urban areas.

The sums would be apportioned among the States in the manner and in accordance with formulas in existing law, and shall be available for expenditure on contracts awarded prior to December 1, 1958, which shall provide for completion of construction prior to December 1, 1959, any funds so apportioned that remain unexpended, within the definition in section 1 (b), on December 1, 1958, shall lapse. The sums so apportioned shall be available for expenditure for projects on the Federal-aid primary, secondary, or urban systems, without limitation as to the percentage to be utilized on any system, thus permitting transfer or interchange of apportionments between these systems.

The Federal share payable to any project constructed with these funds shall be increased to 70 percent of the total cost thereof, plus a percentage of the remaining 30 percent of such cost in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 percent of the total of all lands therein, equal to the percentage that the area of such lands in such State is of its total area, provided that such Federal share payable on any project in any State shall not exceed 95 percent of the total cost of such project.

Subsection 2 (e) authorizes the appropriation of \$115 million which may be used by the Secretary of Commerce, upon the request of any State, to assist the State in matching the Federal funds apportioned to the State under this section, provided that the amount of such increase of the Federal share on account of any project shall not exceed two-thirds of the State's share of the cost of such project.



The total amount of such increases in the Federal share made pursuant to this subsection shall be reimbursed to the Federal Government by making deductions of sums equal to the amounts expended for projects on the Federal-aid primary, secondary, and urban systems, in two equal amounts from the apportionments to such State for expenditure on said highways for the fiscal years 1961 and 1962.

Approval by the Secretary of Commerce of any project on which the Federal share is increased shall be deemed a contractual obligation of the Federal Government for the payment of such increase in the Federal share, and such funds shall be deemed to have been expended when so obligated. It is declared to be the intent of the Congress that the sum authorized under section 2 shall be supplementary to, and not in lieu of, any sum heretofore or herein authorized for expenditure on the Federal-aid primary, secondary, or urban highway systems, and is made available for immediate acceleration of the rate of highway construction on these systems beyond that being accomplished with funds otherwise authorized.

### *Section 3*

Section 3 authorizes an appropriation of \$36 million for forest highways for each of the fiscal years 1960 and 1961, and \$34 million for forest development roads and trails for the same period, with a provision that the funds available for forest development roads and trails shall also be available for adjacent vehicular parking areas and sanitary, water, and fire-control facilities. Provision for advisory public hearings with respect to timber-access roads are continued but are made permissive rather than mandatory. Apportionment of the forest highway funds made by the Secretary of Commerce to the States for fiscal year 1959 is approved, but apportionment of such funds authorized for fiscal years 1960 and 1961, shall be on the same percentages as the forest highway funds were apportioned for expenditure in each State, Alaska, or Puerto Rico, for fiscal year 1958. This section provides that not to exceed \$500,000 or 5 percent, whichever is lesser, of the amounts apportioned to a State for expenditure on the Federal-aid primary, secondary, or urban systems, may be transferred by any State to augment apportionments made to such State for forest highway projects under this section, and such sums so transferred may be expended in the same manner as authorized forest highway funds without requiring State-matching funds.

The Secretary of Commerce, in cooperation with appropriate State officials in each State containing a national forest, is authorized to make a study to determine the forest roads of primary importance which are within, adjoining, or adjacent to a national forest and have not been designated as forest highways; the amount necessary to complete construction of all forest highways; the amounts necessary for each fiscal year 1962 through 1971, to survey, construct, reconstruct, and maintain forest highways, and forest roads of primary importance which are within, adjoining, or adjacent to a national forest, if such roads were forest highways; and the method by which the preceding determined amounts should be apportioned for expenditure in the several States. The Secretary shall report the results of such study to the President and the Congress on or before January 1, 1960.

*Section 4*

Subsection (a) provides an authorization of \$20 million for each of the fiscal years 1960 and 1961, for the construction, reconstruction, and improvement of roads, trails, and bridges in national parks, monuments, and other areas administered by the National Park Service, including approach roads.

Subsection (b) would authorize the sum of \$16 million for each of the fiscal years 1960 and 1961, for construction, reconstruction, and improvement of authorized parkways.

Subsection (c) would authorize \$12 million for each of the fiscal years 1950 and 1961, for construction, reconstruction, and improvement of roads and bridges within Indian reservations and to provide access to Indian reservation and Indian lands. Funds under this authorization would not be available for maintenance of such roads.

*Section 5*

Section 5 provides authorization of \$4 million for each of the fiscal years 1960 and 1961, for survey, construction, reconstruction, and maintenance of important Federal-aid highways lying entirely within the public domain.

*Section 6*

This section grants authority to the Secretary of the department charged with the administration of such funds, to incur obligations, approve projects, and enter contracts, under authorizations provided in this bill for forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public lands highways, upon apportionment or up to 1 year in advance of the year for which such funds are authorized. Funds shall be deemed to have been expended when obligated by the contractual obligations, and funds remaining unexpended 2 years after the close of the fiscal year for which authorized shall lapse.

*Section 7*

Section 7 amends section 108 (b) of the Federal-Aid Highway Act of 1956 by increasing the authorization for fiscal year 1959 by \$200 million, and that for each of the fiscal years 1960 and 1961 by \$300 million, for expediting the construction, reconstruction, and improvement of the National System of Interstate and Defense Highways, including extensions thereof through urban areas. The additional amount authorized for fiscal year 1959 shall be apportioned immediately upon enactment of this act, in the manner now provided by law and in accordance with formulas established by law.

*Section 8*

This section gives approval to the estimate of cost of completing the Interstate System, transmitted to Congress in compliance with section 108 (d) of the Federal-Aid Highway Act of 1956, published as House Document No. 300, 85th Congress, 2d session, as the basis for making the apportionment to the States of the funds authorized for the Interstate System for the fiscal year 1960.

*Section 9*

Section 9 authorizes and directs the Secretary of Commerce to apportion among the several States in the manner provided by law, all of the funds authorized for the fiscal years 1959 and 1960, for the



Interstate System, and the Federal-aid primary, secondary, and urban systems, notwithstanding the provisions of section 209 (g) of the Highway Revenue Act of 1956.

#### *Section 10*

This section authorizes the Secretary of Commerce to make payments for the United States pro rata share of the value of materials which have been stockpiled in the vicinity of such construction or reconstruction in conformity with plans and specifications for Federal-aid highway projects.

#### *Section 11*

This section amends section 111 of the Federal-Aid Highway Act of 1956, to authorize the Secretary of Commerce to reimburse a State from Federal funds for the cost of relocation of utility facilities necessitated by construction of a project on the Federal-aid primary, secondary, urban, or interstate systems, whenever a State under State law is required to pay for all or any part of such cost. Federal reimbursement shall be made in the same proportion as Federal funds are expended on the project, not to exceed 70 percent, and shall be made only after presentation of satisfactory evidence to the Secretary of Commerce that the State has paid such cost from its own funds. These amended provisions shall apply only to Federal-aid highway projects covered by formal project agreements executed by the Secretary subsequent to the date of enactment of this act.

#### *Section 12*

Subsection (a) outlines the national policy to promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investment in the National System of Interstate and Defense Highways, and declares it to be in the public interest to encourage and assist the States to control the use of and to improve areas adjacent to the Interstate System by controlling the erection and maintenance of outdoor advertising signs, displays, and devices adjacent to that system.

The national policy is declared that the erection and maintenance of outdoor advertising signs, displays, or devices within 660 feet of the edge of the right-of-way and visible from the main traveled way of all portions of the Interstate System should be regulated, consistent with national standards to be prepared and promulgated by the Secretary, which shall provide for: (1) Directional or other official signs or notices that are required or authorized by law; (2) signs advertising the sale or lease of the property upon which they are located; (3) signs not larger than 500 square inches advertising activities being conducted at a location within 12 miles of the point at which such signs are located; and (4) signs erected or maintained pursuant to authorization in State law and not inconsistent with the established national policy and standards, and designed to give information in the specific interest of the traveling public.

Subsection (b) authorizes the Secretary of Commerce to enter into agreements with any State for carrying out the national policy established by this act with respect to the Interstate System within the State. Such agreement shall include provisions for regulation and control of the erection and maintenance of advertising signs, displays, and other advertising devices in conformance with established standards, and may include provisions for preservation of natural beauty,



prevention of erosion, landscaping, reforestation, development of viewpoints for scenic attractions accessible to the public without charge, and erection of markers, signs, or plaques, and development of areas related to sites of historical significance.

Within the discretion of the Secretary and consistent with the national policy, any such agreement may provide for exclusion from application of the national standards, segments of the Interstate System which traverse incorporated municipalities wherein the use of real property adjacent thereto is subject to municipal regulation or control, or which traverse other areas where the land use is clearly established by State law as industrial or commercial, or which are built on rights-of-way wholly acquired before July 1, 1956.

Subsection (c) provides for an increase of one-half of 1 percent of the Federal share payable on account of the total cost of any project on the Interstate System constructed with interstate funds, within any State to which the national policy and an agreement applies, such cost to exclude any additional cost that may be incurred in carrying out the agreement. The increase in the Federal share payable shall be paid only from appropriated funds and not from the highway trust fund. This subsection also provides for a period until July 1, 1961, for States to enter into agreements under this act, which would permit covering project agreements now in effect.

This provision is effective notwithstanding the provision of existing law that the Commissioner of Public Roads shall not, as a condition of approval of any project for Federal aid, require any State to acquire title to, or control of, any marginal land along the proposed highway in addition to that reasonably necessary for road surfaces, median strips, gutters, ditches, and side slopes and sufficient width to provide service roads for adjacent property to permit safe access at controlled locations in order to expedite traffic, promote safety, and minimize roadside parking.

Subsection (d) authorizes the Secretary of Commerce to make such arrangements and enter into such agreements with the agency having jurisdiction over public lands or reservations of the United States upon which any portion of the Interstate System is located or is adjacent thereto, as may be necessary to carry out the national policy set forth in this section, and directs such agency to cooperate with the Secretary for these purposes.

Subsection (e) provides for considering the cost of acquisition of the right to advertise or regulate advertising in an area adjacent to the right-of-way of a project on the Interstate System as a part of the cost of construction of such project, and Federal funds may be used to pay the Federal pro rata share of such cost, provided that reimbursement to the State shall be limited to that portion of such cost which does not exceed 5 percent of the cost of the right-of-way for such project.

### *Section 13*

This section provides that existing provisions of the Federal-aid highway acts specified not inconsistent with this act shall remain in full force and effect, and for the repeal of all acts or parts of acts inconsistent with this act and that this act shall take effect upon its passage.

### *Section 14*

Section 14 provides that this act may be cited as the "Federal-Aid Highway Act of 1958."

## CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows:

## EXISTING LAW

SUBSTITUTE LANGUAGE IN BILL AS  
REPORTED

Public Law 627, 84th Congress

**SEC. 102. FEDERAL-AID HIGHWAYS.****SEC. 1 FEDERAL-AID HIGHWAYS.**

(a) (1) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1957, \$125,000,000 in addition to any sums heretofore authorized for such fiscal year; the sum of \$850,000,000 for the fiscal year ending June 30, 1958; and the sum of \$875,000,000 for the fiscal year ending June 30, 1959. The sums herein authorized for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects on the Federal-aid primary highway system.

(B) 30 percentum for projects on the Federal-aid secondary highway system.

(C) 25 per centum for projects on extensions of these systems within urban areas.

(2) **APPORTIONMENTS.**—The sums authorized by this section shall be apportioned among the several States in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838): *Provided*, That the additional amount herein authorized for the fiscal year ending June 30, 1957, shall be apportioned immediately upon enactment of this Act.

(a) (1) *AUTHORIZATION OF APPROPRIATIONS.*—*For the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated the sum of \$900,000,000 for the fiscal year ending June 30, 1960; and the sum of \$900,000,000 for the fiscal year ending June 30, 1961. The sums herein authorized for each fiscal year shall be available for expenditure as follows:*

(A) *45 per centum for projects on the Federal-aid primary highway system.*

(B) *30 percentum for projects on the Federal-aid secondary highway system.*

(C) *25 per centum for projects on extensions of these systems within urban areas.*

(2) *APPORTIONMENTS.*—*The sums authorized by this section shall be apportioned among the several States in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838).*

## EXISTING LAW

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(c) TRANSFERS OF APPORTIONMENTS.—Not more than 20 per centum of the respective amounts apportioned to a State for any fiscal year from funds made available for expenditure under clause (A), clause (B), or clause (C) of subsection (a) (1) of this section, may be transferred to the apportionment made to such State under any other of such clauses, except that no such apportionment may be increased by more than 20 per centum by reason of transfers to it under this subsection: *Provided*, That such transfer is requested by the State highway department and is approved by the Governor of such State and the Secretary of Commerce as being in the public interest: *Provided further*, That the transfers hereinabove permitted for funds authorized to be appropriated for the fiscal years ending June 30, 1958, and June 30, 1959, shall likewise be permitted on the same basis for funds which may be hereafter authorized to be appropriated for any subsequent fiscal year: *And provided further* That nothing herein contained shall be deemed to alter or impair the authority contained in the last proviso to paragraph (b) of section 3 of the Federal-Aid Highway Act of 1944.

Not included.

**SEC. 103. FOREST HIGHWAYS AND  
FOREST DEVELOPMENT  
ROADS AND TRAILS.**

(a) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out the provisions of section 23 of the Federal Highway Act of 1921 (42 Stat. 218), as amended and supplemented, there is hereby authorized to be appropriated (1) for forest highways the sum of \$30,000,000 for the fiscal year ending June 30, 1958, and a like sum for the fiscal year ending

Change **[shall]** to *may*.



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June 30, 1959; and (2) for forest development roads and trails the sum of \$27,000,000 for the fiscal year ending June 30, 1958, and a like sum for the fiscal year ending June 30, 1959: *Provided*, That with respect to any proposed construction or reconstruction of a timber access road, advisory public hearings [shall] be held at a place convenient or adjacent to the area of construction or reconstruction with notice and reasonable opportunity for interested persons to present their views as to the practicability and feasibility of such construction or reconstruction: *Provided further*, That hereafter funds available for forest highways and forest development roads and trails shall also be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities: *And provided further*, That the appropriation herein authorized for forest highways shall be apportioned by the Secretary of Commerce for expenditure in the several States, Alaska, and Puerto Rico in accordance with the provisions of section 3 of the Federal-Aid Highway Act of 1950.

## Section 104

(c) INDIAN RESERVATIONS AND LANDS.—For the construction, [improvement, and maintenance] of Indian reservation roads and bridges and roads and bridges to provide access to Indian reservations and Indian lands under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of \$12,000,000 for the fiscal year ending June 30, 1958, and a like sum for the fiscal year ending June 30, 1959: *Provided*, That the location, type, and

Change [improvement, and maintenance] to *reconstruction and improvement*.

## EXISTING LAW

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design of all roads and bridges constructed shall be approved by the Secretary of Commerce before any expenditures are made thereon, and all such construction shall be under the general supervision of the Secretary of Commerce.

## Section 108

(b) **AUTHORIZATION OF APPROPRIATIONS.** For the purpose of expediting the construction, reconstruction, or improvement, inclusive of necessary bridges and tunnels, of the Interstate System, including extensions thereof through urban areas, designated in accordance with the provisions of section 7 of the Federal-Aid Highway Act of 1944 (58 Stat. 838), there is hereby authorized to be appropriated the additional sum of \$1,000,000,000 for the fiscal year ending June 30, 1957, which sum shall be in addition to the authorization heretofore made for that year, the additional sum of \$1,700,000,000 for the fiscal year ending June 30, 1958, the additional sum of \$2,000,000,000 for the fiscal year ending June 30, 1959, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1960, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1961, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1962, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1963, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1964, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1965, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1966, the additional sum of \$2,200,000,000 for

(b) **AUTHORIZATION OF APPROPRIATIONS.**—*For the purpose of expediting the construction, reconstruction, or improvement, inclusive of necessary bridges and tunnels, of the Interstate System, including extensions thereof through urban areas, designated in accordance with the provisions of section 7 of the Federal-Aid Highway Act of 1944 (58 Stat. 838), there is hereby authorized to be appropriated the additional sum of \$1,000,000,000 for the fiscal year ending June 30, 1957, which sum shall be in addition to the authorization heretofore made for that year, the additional sum of \$1,700,000,000 for the fiscal year ending June 30, 1958, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1959, the additional sum of \$2,500,000,000 for the fiscal year ending June 30, 1960, the additional sum of \$2,500,000,000 for the fiscal year ending June 30, 1961, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1962, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1963, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1964, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1965, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1966, the additional sum of \$2,200,000,000 for the fiscal year ending June 30,*

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the fiscal year ending June 30, 1967, the additional sum of \$1,500,000,000 for the fiscal year ending June 30, 1968, and the additional sum of \$1,025,000,000 for the fiscal year ending June 30, 1969.

## Section 209 (g)

(g) ADJUSTMENTS OF APPORTIONMENTS.—The Secretary of the Treasury shall from time to time, after consultation with the Secretary of Commerce, estimate the amounts which will be available in the Highway Trust Fund (excluding repayable advances) to defray the expenditures which will be required to be made from such fund. In any case in which the Secretary of the Treasury determines that, after all other expenditures required to be made from the Highway Trust Fund have been defrayed, the amounts which will be available in such fund (excluding repayable advances) will be insufficient to defray the expenditures which will be required as a result of the apportionment to the States of the amounts authorized to be appropriated for any fiscal year for the construction, reconstruction, or improvement of the Interstate System, he shall so advise the Secretary of Commerce and shall further advise the Secretary of Commerce as to the amount which, after all other expenditures required to be made from such fund have been defrayed, will be available in such fund (excluding repayable advances) to defray the expenditures required as a result of apportionment to the States of Federal-aid highway funds for the Interstate System for such fiscal year. The Secretary of Commerce shall determine the percentage which such amount is of the amount authorized to be appro-

Provisions suspended for 1959 and 1960.



## EXISTING LAW

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appropriated for such fiscal year for the construction, reconstruction, or improvement of the Interstate System, and, notwithstanding any other provisions of law, shall thereafter apportion to the States for such fiscal year for the construction, reconstruction, or improvement of the Interstate System, in lieu of the amount which but for the provisions of this subsection would be so apportioned, the amount obtained by multiplying the amount authorized to be appropriated for such fiscal year by such percentage. Whenever the Secretary of the Treasury determines that there will be available in the Highway Trust Fund (excluding repayable advances) amounts which, after all other expenditures required to be made from such fund have been defrayed, will be available to defray the expenditures required as a result of the apportionment of any Federal-aid highway funds for the Interstate System previously withheld from apportionment for any fiscal year, he shall so advise the Secretary of Commerce and the Secretary of Commerce shall apportion to the States such portion of the funds so withheld from apportionment as the Secretary of the Treasury has advised him may be so apportioned without causing expenditures from the Highway Trust Fund for the Interstate System to exceed amounts available in such fund (excluding repayable advances) to defray such expenditures. Any funds apportioned pursuant to the provisions of the preceding sentence shall remain available for expenditure until the close of the third fiscal year following that in which apportioned.

## EXISTING LAW

Public Law 87, 67th Congress,  
Section 13, Second Paragraph

That the Secretary of Agriculture may, in his discretion, from time to time, make payments on such construction or reconstruction as the work progresses, but these payments, including previous payments, if any, shall not be more than the United States pro rata part of the value of the labor and materials which have been actually put into such construction or reconstruction in conformity to said plans and specifications.

Public Law 627, 84th Congress

**SEC. 111. RELOCATION OF UTILITY FACILITIES.**

(a) AVAILABILITY OF FEDERAL FUNDS FOR REIMBURSEMENT TO STATES.—Subject to the conditions contained in this section, whenever a State shall pay for the cost of relocation of utility facilities necessitated by the construction of a project on the Federal-aid primary or secondary systems or on the Interstate System, including extensions thereof within urban areas, Federal funds may be used to reimburse the State for such cost in the same proportion as Federal funds are expended on the project: *Provided*, That Federal funds shall not be apportioned to the States under this section when the payment to

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Change period to a comma, and add the following:

*plus the United States pro rata part of the value of the materials which have been stockpiled in the vicinity of such construction or reconstruction in conformity to said plans and specifications.*

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Section 11a

“(a) AVAILABILITY OF FEDERAL FUNDS FOR REIMBURSEMENT TO STATES.—Whenever a State under State law is required to pay for all or any part of the cost of relocation of utility facilities necessitated by the construction of a project on any of the Federal-aid highway systems, Federal funds may be used to reimburse the State for such cost in the same proportion as Federal funds are expended on the project not to exceed 70 per centum of such cost which the State is obligated to pay: *Provided*, That such reimbursement shall be made only after evidence satisfactory to him shall have been presented to the Secretary substantiating the fact that the

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the utility violates the law of the State or violates a legal contract between the utility and the State.

*State has paid such cost from its own funds."*

*(b) This section shall apply only with respect to Federal-aid highway projects covered by formal project agreements executed by the Secretary subsequent to the date of enactment of this Act.*



## SUPPLEMENTAL VIEWS OF SENATORS NEUBERGER AND KUCHEL ON SECTION 12

In the provisions of section 12, this bill offers Federal financial assistance to the people of any State of the Union, who, through their State government, wish to preserve the scenic beauty and grandeur of the countryside along the new National System of interstate highways, both by reasonable standards of control of advertising billboards and by affirmative measures such as, for instance, landscaping, planting of trees and shrubs, erosion control, and development of viewpoints and historical sites. A State government wishing to participate in this program will be offered the opportunity, by entering into agreements with the Secretary of Commerce consonant with the policy standards of the section, to obtain an additional one-half percent in Federal aid above the 90 percent Federal share of the cost of the interstate highways. Further, the State may include in the cost of rights-of-way purchased for the interstate highways, to be reimbursed 90 percent from Federal funds, up to 5 percent in additional costs that it may incur in acquiring control over advertising rights along these rights-of-way.

As a measure to protect the interests of the traveling public in the appearance of and the view from the new traffic arteries being built with their taxes, these provisions are extremely modest. We are disappointed that stronger provisions, more likely to be effective, could not win the support of a majority of this committee. We believe that adequate provision for all legitimate and necessary needs and purposes of signs along the interstate highways in open country was made in the amendment we originally submitted to the committee, which covered:

- (1) Directional or other official signs or notices that are required or authorized by law.
- (2) Signs advertising the sale or lease of the property upon which they are located.
- (3) Signs advertising activities being conducted upon the property on which such signs are located.
- (4) Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

In the present section 12, the third provision has been amended in a manner which will confront the States and the Secretary of Commerce with a difficult additional challenge of administration. We regret that this change will add to the burden of drafting regulations and standards to cover an additional class of signs which should otherwise have been provided for within the fourth class. We believe that section 12, as now written, can stand no further weakening amendment without the risk that it may become so feeble as to be a deception to the thousands of men and women who individually and collectively

have urged the Congress to provide a measure of roadside protection for the new highways.

We support and urge enactment of the present section 12, however, because it does constitute, for the first time, recognition by the Congress of a legitimate public interest in these main transcontinental travel routes beyond the mere construction of the paved surface itself.

#### HIGHWAYS TIE TOGETHER A SINGLE NATION

The new 41,000-mile National System of Interstate Highways is designed to become the great network of high-speed, limited-access roads for long distance automobile travel across our land. That is the concept which has justified its almost total Federal financing. Americans in our time have become a traveling people, and we travel largely by private automobile. With the prospects for greater leisure time, this will be even more true of the coming generation for whom we today are planning and building this magnificent road system. Families from New England who visit our western national parks; busloads of midwestern school children coming to view the Nation's historical shrines in the Capital, Virginia, and Pennsylvania; vacationists from New York and Chicago on their way to the gulf; all will traverse many States on their journeys along the new highways. And all will have contributed to the 90 percent Federal share of the highway costs, whatever their home States or their destinations may be.

Can we say to these millions of individual American tourists and travelers—and taxpayers—that so far as Congress is concerned the public interest in the highways ends in laying down the ribbons of concrete and steel along which they must journey? If we deliver them, imprisoned within these narrow grooves cut across our country, as a captive audience into the hands of any and all advertisers who have the price of a billboard adjoining the right-of-way, can we tell them that this is no concern of ours?

The contrasts between the two courses the Congress may take are already plain for all to see who travel the New York State Thruway, the new Washington-Baltimore Parkway, or other protected highways and compare them with older, unprotected roads. Roadside signboard control has been the rule in some of the most scenic areas in the world, such as Hawaii and Alaska, Switzerland and Austria. We would offer Americans of all States an opportunity to follow this enlightened course.

#### CHOICE OF ACTION LEFT ENTIRELY TO STATE GOVERNMENTS

Many proponents of roadside protection urged upon us direct Federal action to prohibit or limit the construction of advertising billboards along the interstate highways directed at the travelers on these roads. It should be clearly understood that this bill does not contain any provisions of that kind, except with respect to Federal public lands themselves.

The decision whether to act, and through what means, is left to the separate States. Some State governments have found that they can control billboards and other roadside development by direct laws and regulations. They may continue to do so and qualify for the one-half percent incentive bonus provided in this bill. Other State govern-



ments may wish to purchase the legal right to such controls under State laws in conjunction with buying the Interstate highway rights-of-way themselves. They may follow this approach under the bill and include the added costs (up to 5 percent) in computing the reimbursable Federal share. Some State governments may not wish to participate in any plan of roadside protection. This bill will not touch them. We recognize regretfully that to that extent, it will by no means be effective for the whole Interstate Highway System; but we repeat that in this bill there is no Federal compulsion with respect to the highways in any State. There is only an offer of assistance to any State wishing to act under its own laws to protect the interstate highway roadsides within its borders.

The provisions of section 12 have been drafted to offer the greatest possible measure of flexibility to take into account differences in the legal and factual situations within different States. The agreements between a State and the Secretary of Commerce may, within the limits of the overall policy standards of the bill, exclude parts of the interstate highways passing through any incorporated municipalities that have legal control over the adjacent real property, if these do not wish to join in being included. They may exclude segments of the Interstate System traversing zones established as industrial or commercial by State law. They may exclude segments of rights-of-ways wholly acquired before the beginning of the interstate highway program, July 1, 1956. Further recognition of State law is included in the references of the bill to classes of signs which may be provided for in the policy standards and regulations.

In short, it is difficult to conceive of a bill which more fully recognizes and defers to State initiative in accomplishing its objectives.

#### OPPOSITION OF OUTDOOR ADVERTISING INDUSTRY

We recognize, of course, that claims of invasion of State jurisdiction over roadsides have largely come not from States, but from the billboard industry itself.

In raising these claims, the industry does not point to a record of support for the exercise of that State jurisdiction. To the contrary, the industry has consistently fought State regulatory legislation as vehemently as it has this bill. As we have shown, the present proposal is actually wholly contingent on voluntary and independent State action. What the industry claims, then, is that it is wrong for Congress even to offer assistance to those States which wish to act to let travelers enjoy their landscape. Actually, several States have already begun action which might qualify them for the benefits of this bill.

Not only is State action left paramount, but provision has been made by the committee for the reasonable advertising needs of off-highway businesses that must be able to reach and attract travelers on the new expressways. We have recognized that limited-access roads bypass many hotels, motels, resorts, and other tourist facilities which are accessible only by leaving the interstate highway at an exit to seek them out. A State may wish, in regulating signboards consistent with the policy standards of this bill, to make provision for signs informing the traveler of such facilities accessible to him from the next exit. This bill permits recognition of such State regulation in the agreements for Federal assistance.



Thus the claims which the Congress is called upon to balance in acting on section 12 of this bill ultimately are reduced to the financial interest of the billboard industry itself, as against the interest of the traveling public in the undisturbed view of the American countryside surrounding our magnificent new transcontinental highways, free from the blatant attacks of billboard salesmanship. We believe the equities in this choice are plain.

The entire value of the advertising billboards themselves is created only by the location and construction of the highway along which it is erected. That highway is built with the taxes of the traveler. He can turn off his radio, skip the ads between the editorial matter provided him by his newspaper or magazine—must he subject himself passively to advertising signs along his roadsides that are made possible only by his gasoline and other taxes?

Finally, what is involved in this bill is only roadside protection along some 40,000 miles of new interstate highways that will be built in the years immediately ahead. This is less than 3 percent of the approximately 1,500,000 miles of surfaced public roads and highways in our country. Nothing in this bill deals with the other 97 percent, nor even with the \$2,200 million in new appropriations which Congress is at this same time authorizing for primary, secondary, and urban roads outside the Interstate System. Can the billboard industry be heard to say that it will be destroyed by the mild and moderate measures proposed in this bill for the new cross-country, limited-access Interstate System alone?

Men and women from every corner of the United States, who have no selfish economic stake in this question, have urged the Congress to provide some protection for the scenic beauty and grandeur of these new highways. We believe the Congress can no longer evade its responsibility for facing up to the decision. The provisions of section 12 of this bill are the minimum that can be done to assist interested State governments to act. We think they should be enacted now.

RICHARD L. NEUBERGER.  
THOMAS H. KUCHEL.

SEPARATE VIEWS OPPOSING SECTION 11 OF S. 3414 OF  
SENATOR EDWARD MARTIN, SENATOR W. KERR SCOTT,  
SENATOR ROBERT S. KERR, AND SENATOR ROMAN L.  
HRUSKA

The undersigned oppose inclusion of section 11 of the within bill.

This section proposes to amend 111 (A) of the Federal-Aid Highway Act of 1956, which deals with availability of Federal funds to reimburse States for costs of relocating utility facilities.

Present rule: As contained in section 111: Whenever a State shall pay for the cost of such relocation of utilities, Federal funds may be used to reimburse the State in the same proportion as Federal funds are expended on the project.

This present rule is the result of well-seasoned legislative process. First proposed in the 82d Congress, hearings were had by the Senate and House Committees on Public Works in 1952. Extensive hearings were had in the 83d Congress. In its Federal-Aid Highway Act of 1954, the 83d Congress directed the Secretary of Commerce to make a study of the subject. The results of that study are contained in House Document 127 (84th Cong., 1st sess.) entitled, "Public Utility Relocation Incident to Highway Improvement."

The 84th Congress in 1956 enacted the present rule. Legislative history shows that the Congress intended and desired that the then existing practice of the Bureau of Public Roads be specifically placed into statute form (see H. Rept. 2022 on H. R. 10660, at p. 14). In part, the report reads:

The Bureau of Public Roads informed the committee that it is its present practice to permit the use of Federal funds to reimburse the States for the pro rata share of the cost of relocation of utilities *when such costs have been paid by a State*. In order that this procedure may be specifically authorized, the committee has in section 113 approved this existing practice of the Bureau in order that there will be no question of the propriety of so using Federal funds where a State under its own laws or practices pays such costs on Federal-aid highway projects. There is no requirement in this section, either expressed or implied, that a State must pay all or any part of utility relocation costs. [Emphasis supplied.]

The conferees on the 1956 act in Report No. 2436, June 25, 1956, said (p. 34):

Section 113 of the bill as passed by the House and recommended and accepted by the conferees *recognizes the equity of reimbursing utilities* for the cost of relocating facilities when required for Federal-aid highway projects. Further, this section makes it clear that it is the intention of the Federal Government to assume its proportionate share of utility relocation costs *whenever a State allows such costs*. [Emphasis supplied.]

It is clear, in view of all this history, that the present rule is the result of well considered, mature action. It is bottomed on good public policy and sound equitable principles.

Proposed rule: as contained in section 11: would change the present rule in two particulars. It would allow reimbursement:

(1) If a State law requires the State to pay for all or any part of such cost of relocation; and

(2) With Federal funds for only 70 percent of such cost which a State is obligated to pay.

The only new consideration arising since passage of the act of 1956 is the enactment in some States of statutes which provide for payment of utility relocation where same was not previously the case. The majority report, in this regard states:

The committee did not contemplate this drastic change in existing practices when the 1956 act was enacted, and realizes that the use of Federal funds for reimbursement to the States for this purpose will increase substantially, which will reduce the amount of Federal funds available for construction of highways.

In short, the position of the advocates of section 11 is that it was fair, equitable and in keeping with public policy to pay such relocation costs, until the amount thereof reached a point beyond their original contemplation. The increase in amount involved is what caused the change; as long as the amount was not large, it was fair; when the increase occurred, it became unfair. The increase in charges warped the previously held ideas as to propriety and sound public policy.

This reasoning is reminiscent of the philosophy of Abe Martin when he said: "If a man says it is not the money but the principle of the thing, he means the money."

#### REASON FOR CHANGE OF STATE LAWS

It is submitted that there was valid reason for the States to amend their laws. The conditions under which utilities agreed to bear the burden of relocation costs disappeared, or at the very least were radically and substantially changed, with the enactment of Federal-Aid Highway Act of 1956.

In the old days, such relocation costs were encountered on a gradual and small scale. They embraced relatively minor operations in type. Their sum total was within the reach of the utilities' ability to fund same, whether the utility was publicly, privately, or cooperatively owned.

Under the act of 1956 all of this was heavily changed. A crash program of unprecedented scale was inaugurated. Federal funds available for highway construction rocketed from \$875,000 to \$2 billion within a single year. Greater increases are scheduled for following years. In addition, the type of construction changed. The modern, multilane, high speed traffic ways require rights-of-way of spectacular width; cloverleaves, overpasses, and underpasses; and long distances thereof through urban areas, bringing expressways to the heart of metropolitan centers.

These changes brought about inordinate expenditures for moving vast amounts of facilities at a great cost to the users of the utilities.



They bring about a tremendously different treatment than when highway improvement was a local convenience and local cost, relatively speaking.

Under the old order there was not only a smaller cost, but also a greater identity between the users of the utilities affected, and the taxpayer who provided funds for the highway improvement which resulted.

A special unfairness which results from these costs is attributable to the Interstate Highway System. Some communities and some utilities will pay the entire load. Most of the communities and utilities, many located just a short distance away, will not pay any of the load, and yet they will benefit almost as fully from the construction of the Interstate System.

Different conditions. Different treatment. State legislatures acted accordingly.

#### PUBLICLY OWNED UTILITIES

Under the present rule, special consideration is given to publicly owned utilities. See especially paragraph 3 of Bureau of Public Roads Policy and Procedure Memorandum 30-4, issued December 31, 1957.

This preference will be obliterated by the proposed section 11 in most instances.

It is ventured that municipalities and utility authorities of publicly owned classification, the Nation over will be pounding at the doors of Congress long before the next session opens, if the proposed section is approved.

#### SMALL UTILITIES AND MUNICIPALITIES

Should an Interstate Highway run to the heart of a small utility (it might be an REA, a co-op phone company, or electrical distribution system, or what have you), or through or near a small city or village, it is conceivable that fiscal ruin could be visited upon them. This would be brought about if the provision for obligating a State to pay relocation costs is lacking in the State law. If that happened to be the case, situations of the type suggested are totally beyond repair under the proposed section 11.

It should be clear that the vice of the proposed section 11 lies in its depriving the States of the discretion they now have as to when and under what conditions relocation costs will be paid. They may delegate that discretion to State officials under the present rule and provide some degree of flexibility which will make for equity and commonsense. This is denied them under section 11.

#### SUMMARY OF CASE FOR PRESENT RULE

But whether the utility is publicly, privately, or cooperatively owned, and whether it is large or small, there are valid and sound reasons for the present rule:

1. Relocation costs are legitimate construction costs which should be treated as an integral part of the cost of constructing Federal-aid highways.

2. If utilities are required to pay relocation costs utility users would be unfairly burdened. They would have to pay for the

cost of constructing highways—once as a taxpayer and again as a part of the cost of each utility used. This despite the fact that utilities and their customers receive no special benefit from the new Federal highways.

3. In many areas smaller local utilities, public and private, which happen to be in the path of highway construction, would be heavily burdened and possibly forced out of business.

4. The new Federal-aid highway program because of its immense size and complexity would accentuate the burden on utility users of all services, electric, gas, water, sewer, and communications.

5. Public rights-of-way are not solely for transportation of vehicles but to provide the public with all needed services and commodities as roads have always done. The public and not just the motorist provides these rights-of-way.

It is submitted that section 111 of the 1956 act was the result of careful deliberation and conclusions reached after consideration of all of the facts. To subject it to the proposed amendment would be unfair to the respective States and to those comparatively few members of the public who would be affected because of their misfortune in using services of utilities in the paths of Federal-aid highway projects.

EDWARD MARTIN.

W. KERR SCOTT.

ROBERT S. KERR.

ROMAN L. HRUSKA.

SEPARATE VIEWS OPPOSING SECTION 12 OF S. 3414 OF  
SENATOR ROBERT S. KERR, SENATOR W. KERR SCOTT,  
SENATOR EDWARD MARTIN, AND SENATOR ROMAN L.  
HRUSKA:

The undersigned object to section 12 of S. 3414, which adds a new section 122 to the Federal-Aid Highway Act of 1956. It is an effort to prohibit advertising of a certain type along the entire system of the Interstate Highway System.

We think section 12 is open to most serious objections. It is entirely extraneous and totally unrelated to the worthy and important purposes and provisions of S. 3414, which is a regular biennial construction act, appropriating several billion dollars to expedite the construction of the Interstate and Defense Highway System.

The section was added by a vote of 7 to 6. It was added with reckless disregard of the fact that such a controversial subject hampers and needlessly delays the enactment of emergency highway legislation.

Section 12, in substance, makes the Secretary of Commerce a czar over the regulation of outdoor advertising within 660 feet of the outer edge of the highway rights-of-way. While section 12 purports to set certain standards for the guidance of the Secretary, it nullifies those standards completely by requiring that all highway advertising shall be "consistent with national standards to be prepared and promulgated by the Secretary." This is a grant of power for the regulation of thousands of businesses in the United States that is entirely unprecedented in the unlimited and arbitrary power it vests in a public official.

While in its final form the bill uses the word "regulation," its sponsors have consistently used the word "prohibit," and the power granted the Secretary is adequate to support prohibition.

Section 12 is justified by its sponsors on the ground that it promotes beauty and esthetics (whatever that may be) and turns the Interstate System of Highways into scenic parkways. But at the same time, it is directed to only one narrow field of restriction; namely, that of advertising.

It defeats the very purpose of its sponsors, because it ignores hundreds of notorious eyesores such as junkyards, hogpens, garbage dumps, automobile graveyards, dilapidated buildings, and scores of other unsightly objects along the right-of-way, which it must be conceded by the sponsors are fully as distasteful to them as are advertising signs.

It would appear that if the real desire of the sponsors of the measure is to construct a national system of scenic parkways, then the matter should be approached from the standpoint of the zoning of all areas adjacent to the highway system and not in an attempt to specifically prohibit one type of business to the exclusion of many others.

But section 12 is objectionable on other grounds most serious.

It attempts to induce, by the expenditure of Federal money, the



legislatures of the States to pass legislation which they might not otherwise pass, in a form to be promulgated by the Secretary of Commerce, in order to obtain Federal funds. The pattern is set here for the total destruction of the rights of the States by the offering of Federal money to them to take action. The same principle may be applied to any other type of legislation which is without the constitutional power of the Federal Government, but which it is now sought to achieve by the offering of money to the States.

If similar offers to State legislatures of millions of dollars to pass legislation in conformity with somebody's wishes were made by anyone other than the Congress, such action would be characterized by very unpleasant language.

In the beginning the proposals now set forth in section 12 were proposals for direct Federal action, that the Federal Government condemn these 660-foot strips along the highways, or that it undertake to zone them. It now seems to be admitted by the proponents of the legislation that the condemnation of such strips by the Federal Government is not constitutionally possible, since there is no taking of property, merely a restriction on use of property. In any event, such a program necessitating outright condemnation would cost so many billion dollars that the plan is totally infeasible. It likewise seems now to be admitted that there is no Federal police power under the Constitution that will permit the Congress to zone areas adjacent to Federal highways.

Therefore, the present legislation is designed, by the offering of money by the Congress, to induce the doing of something by the States that the Congress itself lacks the power to do. The establishment of the principle that by the influence of money the Federal Government can indirectly exercise powers which it does not directly possess under the Constitution, sets a pattern for the destruction of State and local government to which we cannot subscribe, no matter how laudatory the alleged purposes may be.

It is said that the offering of these sums of money is merely to "induce" State action. The practical fact is that it controls State action. One witness before the committee testified, frankly, that Maryland passed a highway advertising bill this year because of the hope that it would receive as a result of that passage \$8 million of additional funds for roadbuilding—this statement from one of the sponsors of the Maryland legislation.

In other words, we are setting here the pattern, by offering "inducement" money, for the passing of State legislation in a form directed by the Secretary of Commerce, and the State is bartering away for dollars its constitutional right of self-government by the exercise of its police power.

There can be no question that the States, under our constitutional system, possess the basic police power necessary to control this situation within certain constitutional limitations. To induce the exercise of that power by the use of money to conform, not to local wishes, but to the wishes of a Federal official, is subversive of our entire constitutional system of separation of powers.

But section 12 raises other grave legal problems to which we cannot subscribe. It authorizes the Secretary of Commerce to enter into agreements with State highway departments to carry out the national policy, and in return for those agreements, offers hundreds of millions

of dollars of bonuses set forth in the act. Yet it must be perfectly clear that the State highway departments have no authority to enter into contracts on behalf of the sovereign States unless specifically authorized by the legislatures of the States, and no action by the Congress can endow a State highway department with authority which it does not otherwise have.

Here is a statute which authorizes the Secretary of Commerce to make a contract with the highway department of the State to deal with the uses of land of third parties. Yet the Secretary of Commerce is contracting on a matter with reference to which Congress has no power to act; namely, the regulation of the uses of private property. The State highway department has no authority to make such a contract except by authority of its legislature. So here is the anomalous situation: Two parties, neither having legal authority to act, contracting to control the property rights of a third party, namely, the lands and the property of thousands of land owners throughout the Nation.

Section 12 is also highly discriminatory among the several States. Some States have already passed laws controlling advertising along their highways. Are these States to receive a bonus for something which they have already done? Other States are prohibited by their constitutions from the expenditure of State highway funds for other than the construction of roads. Does this legislation contemplate an attempt to force these States to change their State constitutions in order to receive their share of the Federal handout?

Furthermore, under the decisions of the supreme courts of most of the States, the zoning of property for purely esthetic purposes, which would be required of the States under this bill, is an unconstitutional exercise of the police power. Are the States whose laws and courts prohibit zoning for esthetic purposes to be denied their share of the Federal handout?

The regulation of the uses of real property for purely esthetic purposes has been repeatedly denied by the courts of all of the States because of the utter impossibility of any tangible definition of the words "esthetic" and "beauty." The problem is the same as is the problem of censoring movies, books and similar things on the grounds of obscenity or public morals. Who shall say? The standards of esthetics are completely undefinable. Are we to have natural beauty as the Secretary likes it, or as the people through their legislatures like it? What may be beautiful to one is distasteful to another, and that which is distasteful to some is acceptable to others.

Yet this legislation undertakes, if they are to get their share of the Federal handout, to compel the States to pass laws affecting the use of millions of acres of real property throughout the United States by prohibiting its use for advertising purposes, while permitting its use for hundreds of other much more objectionable purposes. How can such legislation, even by the States, be sustained, and is it not highly discriminatory among the various uses of real property when the States undertake to pass such legislation?

Discussing still more detailed implications of the bill, may we point out the conception, as section 12 recites, that one of its purposes is "to protect the public investment in the National System of Interstate and Defense Highways." If that is a sound ground for Federal



inducement of State legislation, why does it not apply equally well to all other large Federal investments?

If there is a power here to control advertising "to protect the investment" in highways, why is there not an equal power, by the use of Federal funds, to induce states to zone property around all public post offices, Federal buildings and other Federal structures?

The pattern here set justifies the ultimate encroachment of the Federal Government into local communities and rural areas throughout the United States for any and all kinds of Federal control which is beyond the direct constitutional power of the Congress.

In an apparent endeavor to placate the owners of small businesses, restaurants, motels, service stations, etc., the bill permits, section 12 (a) (3), signs not larger than 500 square inches, advertising activities conducted within 12 miles of the point of the sign. This, it seems to us, is a perfectly specious provision. Such a sign is approximately 2 feet square, and being located at a distance from the highway, is utterly unreadable and valueless, especially for night drivers.

The proponents of this legislation have seemed to ignore at all times the fact that the new highway system is a nonaccess system; that there is no possibility by reason of the nature of the highway of the encroachment up to the edge of the paving of many of the things about which complaint is made. There can be no restaurants, filling stations, drive-ins and other places of business immediately adjacent to the driving surface of the road, as are so frequently depicted with reference to many old highways. Such places cannot exist along a nonaccess highway, since they cannot be gotten to or from the highway.

The following section, 12 (a) (4), is a legal jungle and if enacted, is provocative of litigation for years to come.

For instance, (1) it permits signs "pursuant to authorization in State law." Does that mean "permitted"? If so, there are thousands of miles of the highway system where State law permits advertising. Does it mean "specifically and affirmatively authorized"? If so, it again requires legislative action by State legislatures or city councils.

(2) "\* \* \* and not inconsistent with the national policy and standards of this section." The standards of this section are the wishes of the Secretary of Commerce and can amount to a prohibition, making the language potentially meaningless.

(3) "\* \* \* and designed to give information in the specific interest of the traveling public." No one can define the "specific interest" of the traveling public, and is advertising designed to "give information" or to promote business?

These three qualifications, coupled together in one paragraph, are not only impossible of definition, but contain ambiguities which should be beneath the dignity of the Congress to enact.

Section 12 is tantamount to the repeal of all municipal zoning ordinances of all of the areas within the United States which are now zoned by local authority. No matter what may have been the city or village plan, if it does not conform to the wishes of the Secretary of Commerce, then the State must either forfeit millions of dollars or it must repeal its municipal zoning ordinances, so far as they are adjacent to the highway system.



The amount of money which the taxpayers are being required to pay to beautify these highways, at one-half of 1 percent, is somewhere from 200 to 300 million dollars, depending entirely upon the ultimate cost of the Federal system. At a time of unbalanced budgets and unemployment, the appropriation of \$200 million, not for the purpose of aiding employment, but for the purpose of throwing thousands of people out of employment, hardly conforms to the current needs of the country. It was estimated by witnesses before the committee, representing labor, that the number of jobs affected by this legislation may reach as high as 50,000.

For all of the foregoing reasons—because the matter is not one of primary Federal jurisdiction; because of its profound effects upon the constitutional system of the country; because of the tremendous power over business that it places in the hands of a single Federal official; because of its effect upon the thousands of landowners in the United States, in restricting the use of their property without compensation; and because of ambiguities and difficulties in the terminology of the legislation itself—we believe that section 12 should be deleted from the bill.

ROBERT S. KERR.  
W. KERR SCOTT.  
EDWARD MARTIN.  
ROMAN L. HRUSKA.

## ADDITIONAL VIEWS OF SENATOR MARTIN OF PENNSYLVANIA AND SENATOR HRUSKA

We concur with the majority in the provisions of S. 3414 which have for their purpose the acceleration of the interstate and regular Federal-aid highway programs in order to expedite construction and to provide increased employment opportunities in this period of economic recession.

We are opposed to the inclusion of section 12, having to do with outdoor advertising adjacent to the highway rights-of-way, first, because it has no bearing upon the building of roads and therefore should be considered in a separate bill, and, second, because the control of such advertising is a matter which should come under the exclusive jurisdiction of the States.

For some years we have witnessed the usurpation of State functions by the Federal Government and the gradual watering down of State authority. In section 12 of this bill we have another example of this—proposing the use of Federal highway funds, not for the building of roads, but to bribe the States that are willing to surrender another portion of their sovereignty and to submit to restrictions imposed by Washington upon their right to legislate in the matter of billboard control within their own borders.

In this connection it should be recalled that many States have enacted legislation carrying out the desire of their people for billboard regulation and control without looking to the Federal Treasury for an inducement to do so.

It is our belief that the trust fund provisions of the Federal-Aid Highway Act of 1956 should be maintained and that the 50-50 ratio of Federal-State expenditures on the ABC roads should be continued.

EDWARD MARTIN.  
ROMAN L. HRUSKA.





Calendar No. 1432

85<sup>TH</sup> CONGRESS  
2D SESSION

# S. 3414

[Report No. 1407]

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## IN THE SENATE OF THE UNITED STATES

MARCH 6, 1958

Mr. GORE (for himself, Mr. CARROLL, Mr. MORSE, Mr. MANSFIELD, Mr. YARBOROUGH, Mr. PASTORE, Mr. PROXMIRE, Mr. HUMPHREY, Mr. NEUBERGER, Mr. MURRAY, Mr. KENNEDY, Mr. CHAVEZ, Mr. McNAMARA, Mr. MAGNUSON, Mr. JACKSON, Mr. CHURCH, Mr. BARRETT, Mr. KUCHEL, Mr. REVERCOMB, and Mr. HENNINGS) introduced the following bill; which was read twice and referred to the Committee on Public Works

MARCH 22, 1958

Reported, under authority of the order of the Senate of March 21 (legislative day, March 17), 1958, by Mr. CHAVEZ, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

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## A BILL

To amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 *That—*

4 ~~(a) AUTHORIZATION OF APPROPRIATIONS FOR INTER-~~  
5 ~~STATE SYSTEM.—Section 108 (b) of the Federal Aid High-~~  
6 ~~way Act of 1956 (70 Stat. 374) is hereby amended to~~  
7 ~~read as follows:~~

1       “(b) ~~AUTHORIZATION OF APPROPRIATIONS.~~—For the  
2 purpose of expediting the construction, reconstruction, or  
3 improvement, inclusive of necessary bridges and tunnels,  
4 of the Interstate System, including extensions thereof  
5 through urban areas, designated in accordance with the  
6 provisions of section 7 of the Federal Aid Highway Act  
7 of 1944 (58 Stat. 838), there is hereby authorized to be  
8 appropriated the additional sum of \$1,000,000,000 for the  
9 fiscal year ending June 30, 1957, which sum shall be in addi-  
10 tion to the authorization heretofore made for that year, the  
11 additional sum of \$1,700,000,000 for the fiscal year ending  
12 June 30, 1958, the additional sum of \$2,500,000,000 for  
13 the fiscal year ending June 30, 1959, the additional sum  
14 of \$3,000,000,000 for the fiscal year ending June 30, 1960,  
15 the additional sum of \$3,100,000,000 for the fiscal year  
16 ending June 30, 1961, the additional sum of \$3,100,000,000  
17 for the fiscal year ending June 30, 1962, the additional  
18 sum of \$3,100,000,000 for the fiscal year ending June 30,  
19 1963, the additional sum of \$3,100,000,000 for the fiscal  
20 year ending June 30, 1964, the additional sum of \$3,100,-  
21 000,000 for the fiscal year ending June 30, 1965, the  
22 additional sum of \$3,100,000,000 for the fiscal year ending  
23 June 30, 1966, the additional sum of \$3,100,000,000 for  
24 the fiscal year ending June 30, 1967, the additional sum of  
25 \$3,100,000,000 for the fiscal year ending June 30, 1968,

1 and the additional sum of \$3,000,000,000 for the fiscal year  
2 ending June 30, 1969.”

3 ~~(b)~~ APPORTIONMENT.—The additional sum herein  
4 authorized for the fiscal year ending June 30, 1959, shall  
5 be apportioned immediately upon enactment of this Act.

6 SEC. 2. Effective July 1, 1958, section 209 ~~(f)~~ ~~(1)~~  
7 of the Federal-Aid Highway Act of 1956 ~~(70 Stat. 374)~~ is  
8 amended to read as follows:

9 “~~(1)~~ INTERSTATE HIGHWAY PROGRAM.—Amounts in  
10 the Trust Fund shall be available, as provided by appropria-  
11 tion Acts, for making expenditures after June 30, 1958,  
12 and before July 1, 1972, to meet those obligations of the  
13 United States heretofore or hereafter incurred under the  
14 Federal-Aid Road Act approved July 11, 1916, as amended  
15 and supplemented, which are attributable to the National  
16 System of Interstate and Defense Highways ~~(including~~  
17 ~~those portions of general administrative expenses of the~~  
18 ~~Bureau of Public Roads payable from such appropriations~~  
19 ~~and attributable to said National System of Interstate and~~  
20 ~~Defense Highways).~~”

21 SEC. 3. ~~(a)~~ ~~(1)~~ AUTHORIZATION OF APPROPRIATION  
22 FOR PRIMARY, SECONDARY, AND URBAN SYSTEMS.—For  
23 the purpose of carrying out the provisions of the Federal-  
24 Aid Road Act approved July 11, 1916 ~~(39 Stat. 355)~~,  
25 and all Acts amendatory thereof and supplementary thereto,



1 there is hereby authorized to be appropriated for the fiscal  
2 year ending June 30, 1959, \$450,000,000 in addition to any  
3 sums heretofore authorized for such fiscal year. The sum  
4 herein authorized shall be available for expenditure as  
5 follows:

6       ~~(A)~~ 45 per centum for projects on the Federal-aid  
7 primary highway system.

8       ~~(B)~~ 30 per centum for projects on the Federal-aid  
9 secondary highway system.

10       ~~(C)~~ 25 per centum for projects on extensions of  
11 these systems within urban areas.

12       ~~(2)~~ APPORTIONMENT.—The sum authorized by this  
13 section shall be apportioned among the several States in  
14 the manner now provided by law and in accordance with the  
15 formulas set forth in section 4 of the Federal-Aid Highway  
16 Act of 1944, approved December 20, 1944 (58 Stat. 838):  
17 *Provided*, That the additional amount herein authorized shall  
18 be apportioned immediately upon enactment of this Act.

19       ~~(b)~~ The provisions of section 102 ~~(b)~~ and ~~(c)~~ of  
20 the Federal-Aid Highway Act of 1956 (70 Stat. 374)  
21 shall apply to the funds authorized by this section.

22       SEC. 4. ~~(a)~~ AUTHORIZATION OF APPROPRIATIONS.—  
23 For the purpose of assisting the States in meeting the re-  
24 quirements for State funds for the Primary and Secondary

1 Federal-Aid Highway Systems, including extensions of these  
2 systems in urban areas, in carrying out the provisions of  
3 the Federal-Aid Road Act approved July 11, 1916 (39  
4 Stat. 355), and all Acts amendatory thereof and supple-  
5 mentary thereto, there is hereby authorized to be appropri-  
6 ated the sum of \$450,000,000.

7 (b) Said sum shall be apportioned to the several States  
8 by the Secretary of Commerce immediately upon the enact-  
9 ment of this Act in accordance with the formulas set forth  
10 in section 4 of the Federal-Aid Highway Act of 1944,  
11 approved December 20, 1944 (58 Stat. 838). The amounts  
12 so apportioned to the States under this section shall be avail-  
13 able to the States as a temporary advance and may be used  
14 to match the regular apportionments made for the fiscal year  
15 ending June 30, 1959, or for fiscal years prior thereto, to  
16 such State for expenditure on the Primary and Secondary  
17 Federal-Aid Systems, including extensions of these Systems  
18 in urban areas, and shall be available for expenditure in  
19 paying the share of such State in the cost of such Federal-  
20 Aid projects: *Provided*, That the amounts so advanced shall  
21 be reimbursed to the Federal Government over a period of  
22 ten years, commencing with the fiscal year ending June 30,  
23 1964, by making annual deductions from regular appor-  
24 tionments made pursuant to future authorizations for such

1 years for the construction of said Primary and Secondary  
2 Federal-Aid Systems, including extensions of such Systems  
3 in urban areas.

4 SEC. 5. All provisions of the Federal-Aid Road Act  
5 approved July 11, 1916, together with all Acts amendatory  
6 thereof or supplementary thereto, not inconsistent with this  
7 Act, shall remain in full force and effect and be applicable  
8 thereto.

9 SEC. 1. FEDERAL-AID HIGHWAYS.

10 (a) (1) AUTHORIZATION OF APPROPRIATIONS.—For  
11 the purpose of carrying out the provisions of the Federal-Aid  
12 Road Act approved July 11, 1916 (39 Stat. 355), and all  
13 Acts amendatory thereof and supplementary thereto, there  
14 is hereby authorized to be appropriated the sum of \$900,000,-  
15 000 for the fiscal year ending June 30, 1960; and the sum  
16 of \$900,000,000 for the fiscal year ending June 30, 1961.  
17 The sums herein authorized for each fiscal year shall be  
18 available for expenditure as follows:

19 (A) 45 per centum for projects on the Federal-  
20 aid primary highway system.

21 (B) 30 per centum for projects on the Federal-  
22 aid secondary highway system.

23 (C) 25 per centum for projects on extensions of  
24 these systems within urban areas.

25 (2) APPORTIONMENTS.—The sums authorized by this



1 section shall be apportioned among the several States in the  
2 manner now provided by law and in accordance with the  
3 formulas set forth in section 4 of the Federal-Aid Highway  
4 Act of 1944, approved December 20, 1944 (58 Stat. 838).

5 (b) *AVAILABILITY FOR EXPENDITURE.*—Any sums  
6 apportioned to any State under this section shall be available  
7 for expenditure in that State for two years after the close  
8 of the fiscal year for which such sums are authorized, and  
9 any amounts so apportioned remaining unexpended at the  
10 end of such period shall lapse: Provided, That such funds  
11 shall be deemed to have been expended if a sum equal to  
12 the total of the sums herein and heretofore apportioned to  
13 the State is covered by formal agreements with the Secretary  
14 of Commerce for construction, reconstruction, or improve-  
15 ments of specific projects as provided in this Act and  
16 prior Acts: Provided further, That in the case of those sums  
17 heretofore, herein, or hereafter apportioned to any State for  
18 projects on the Federal-aid secondary highway system, the  
19 Secretary of Commerce may, upon the request of any State,  
20 discharge his responsibility relative to the plans, specifica-  
21 tions, estimates, surveys, contract awards, design, inspec-  
22 tion, and construction of such secondary road projects by  
23 his receiving and approving a certified statement by the  
24 State highway department setting forth that the plans,  
25 design, and construction for such projects are in accord with

1 the standards and procedures of such State applicable to  
2 projects in this category approved by him: Provided further,  
3 That such approval shall not be given unless such standards  
4 and procedures are in accordance with the objectives set  
5 forth in section 1 (b) of the Federal-Aid Highway Act of  
6 1950: And provided further, That nothing contained in the  
7 foregoing provisos shall be construed to relieve any State  
8 of its obligation now provided by law relative to mainte-  
9 nance, nor to relieve the Secretary of Commerce of his obli-  
10 gation with respect to the selection of the secondary system  
11 or the location of projects thereon, to make a final inspection  
12 after construction of each project, and to require an adequate  
13 showing of the estimated and actual cost of construction  
14 of each project. Any Federal-aid primary, secondary, or  
15 urban funds released by the payment of the final voucher  
16 or by modification of the formal project agreement shall be  
17 credited to the same class of funds, primary, secondary, or  
18 urban, previously apportioned to the State and be immedi-  
19 ately available for expenditure.

20 SEC. 2. (a) ADDITIONAL AUTHORIZATION OF AP-  
21 PROPRIATION OF FEDERAL-AID PRIMARY, SECONDARY,  
22 AND URBAN FUNDS.—For the purpose of carrying out the  
23 provisions of the Federal-Aid Road Act approved July 11,  
24 1916 (39 Stat. 355), and all Acts amendatory thereof and

1 supplementary thereto, there is hereby authorized to be appro-  
2 priated for the fiscal year ending June 30, 1959, \$400,000,-  
3 000 in addition to any sums heretofore authorized for such  
4 fiscal year. The sum herein authorized shall be apportioned:  
5 (A) 45 per centum for projects on the Federal-aid primary  
6 highway system, (B) 30 per centum for projects on the  
7 Federal-aid secondary highway system, (C) 25 per centum  
8 for projects on extensions of these systems within urban areas  
9 among the several States immediately upon enactment of  
10 this Act in the manner now provided by law and in accord-  
11 ance with the formulas set forth in section 4 of the Federal  
12 Aid Highway Act of 1944, approved December 20, 1944  
13 (58 Stat. 838).

14 (b) The amounts authorized to be appropriated in sec-  
15 tion 2 (a) herein shall be available for expenditure pur-  
16 suant to contracts awarded by the State highway depart-  
17 ments prior to December 1, 1958, which shall provide for  
18 completion of construction prior to December 1, 1959. Any  
19 amounts apportioned to a State under provisions of this  
20 section remaining unexpended as above provided on December  
21 1, 1958, shall lapse.

22 (c) The sums apportioned under this section shall be  
23 available for expenditure for projects on the primary or



1 secondary Federal-aid systems, including extensions of these  
2 systems within urban areas, without limitation as to the  
3 percentage to be utilized on any system.

4 (d) The Federal share payable on account of any proj-  
5 ect provided for by funds made available under the provisions  
6 of this section shall be increased to 70 per centum of the  
7 total cost thereof plus, in any State containing unappro-  
8 priated and unreserved public lands and nontaxable Indian  
9 lands, individual and tribal, exceeding 5 per centum of the  
10 total area of all lands therein, a percentage of the remaining  
11 30 per centum of such cost equal to the percentage that the  
12 area of such lands in such State is of its total area: Provided,  
13 That such Federal share payable on any project in any State  
14 shall not exceed 95 per centum of the total cost of such  
15 project.

16 (e) AUTHORIZATION OF APPROPRIATION FOR IN-  
17 CREASING FEDERAL SHARE.—For the purpose of assisting  
18 any State in meeting the requirements for State funds to  
19 match any sums apportioned to such State under the provi-  
20 sions of this section, there is hereby authorized to be appro-  
21 priated the sum of \$115,000,000, which sum may be used  
22 by the Secretary of Commerce upon the request of any State  
23 to increase the Federal share payable on account of any  
24 project provided for by funds made available under the  
25 provisions of this section: Provided, That the amount of such

1 increase of the Federal share shall not exceed two-thirds of  
2 the State's share of the cost of such project.

3 (f) REIMBURSEMENT.—The total amount of such in-  
4 creases in the Federal share as are made pursuant to sub-  
5 section (e) above, shall be reimbursed to the Federal Govern-  
6 ment by making deductions of sums equal to the amounts  
7 expended for projects on the Federal-aid primary highway  
8 system, the Federal-aid secondary highway system and exten-  
9 sions of such systems in urban areas in two equal amounts  
10 from the amounts available to such State for expenditure on  
11 such highways under any apportionment of funds authorized  
12 to be appropriated therefor for the fiscal years ending  
13 June 30, 1961 and June 30, 1962.

14 (g) CONTRACT AUTHORITY.—Approval by the Secre-  
15 tary of Commerce of any project on account of which the  
16 Federal share is increased under the provisions of this sec-  
17 tion shall be deemed a contractual obligation of the Federal  
18 Government for the payment of such increase in the Federal  
19 share, and such funds shall be deemed to have been expended  
20 when so obligated.

21 (h) It is hereby declared to be the intent of the Con-  
22 gress that the sum authorized under this section shall be  
23 supplementary to, and not in lieu of, any other sum hereto-  
24 fore or herein authorized for expenditure on the Federal-  
25 aid primary or secondary systems, including extensions of

1 *these systems within urban areas, and is made available for*  
2 *the purpose of immediate acceleration of the rate of highway*  
3 *construction on these systems beyond that being accomplished*  
4 *with funds otherwise authorized.*

5 SEC. 3. FOREST HIGHWAYS AND FOREST DEVELOPMENT

6 ROADS AND TRAILS.

7 (a) AUTHORIZATION OF APPROPRIATIONS.—*For the*  
8 *purpose of carrying out the provisions of section 23 of the*  
9 *Federal Highway Act of 1921 (42 Stat. 218), as amended*  
10 *and supplemented, there is hereby authorized to be appro-*  
11 *priated (1) for forest highways the sum of \$36,000,000*  
12 *for the fiscal year ending June 30, 1960, and a like sum*  
13 *for the fiscal year ending June 30, 1961; and (2) for forest*  
14 *development roads and trails the sum of \$34,000,000 for*  
15 *the fiscal year ending June 30, 1960, and a like sum for*  
16 *the fiscal year ending June 30, 1961: Provided, That with*  
17 *respect to any proposed construction or reconstruction of a*  
18 *timber access road, advisory public hearings may be held*  
19 *at a place convenient or adjacent to the area of construction*  
20 *or reconstruction with notice and reasonable opportunity*  
21 *for interested persons to present their views as to the prac-*  
22 *ticability and feasibility of such construction or reconstruc-*  
23 *tion: Provided further, That hereafter funds available for*  
24 *forest highways and forest development roads and trails*  
25 *shall also be available for adjacent vehicular parking areas*



1 and for sanitary, water, and fire control facilities: Provided  
 2 further, That the same percentage of the amounts authorized  
 3 under this subsection for forest highways for each of the fiscal  
 4 years ending June 30, 1960, and June 30, 1961, shall be  
 5 apportioned for expenditure in each State, Alaska, or Puerto  
 6 Rico as was apportioned for expenditure in each State,  
 7 Alaska, or Puerto Rico from funds authorized under this  
 8 subsection for forest highways for the fiscal year ending June  
 9 30, 1958: Provided further, That the apportionment hereto-  
 10 fore made by the Secretary of Commerce for the fiscal year  
 11 ending June 30, 1959, is hereby approved: And provided  
 12 further, That any State may transfer not to exceed the lesser  
 13 of \$500,000 or 5 per centum of the amounts apportioned to  
 14 such State under section 1 hereof to augment any appor-  
 15 tionment made to such State for the construction, reconstruction,  
 16 or improvement of forest highways pursuant to this section;  
 17 and when so transferred such sums may be expended in the  
 18 same manner as funds authorized by this section for such pur-  
 19 poses.

20 (b) The Secretary of Commerce, in cooperation with  
 21 the appropriate officers of each State containing a national  
 22 forest, the Commonwealth of Puerto Rico, and the Territory  
 23 of Alaska, shall make a study to determine—

24 (1) the forest roads of primary importance to a

1        *State, county, or community which are within, adjoin-*  
2        *ing, or adjacent to a national forest and have not been*  
3        *designated as forest highways;*

4            *(2) the amount necessary to complete construc-*  
5        *tion of all forest highways;*

6            *(3) the amounts necessary for the fiscal year*  
7        *ending June 30, 1962, and for each of the nine suc-*  
8        *ceeding fiscal years to survey, construct, reconstruct,*  
9        *and maintain (A) forest highways, and (B) roads*  
10       *described in paragraph (1) of this subsection if such*  
11       *roads were forest highways; and*

12           *(4) the method by which the amounts determined*  
13        *pursuant to paragraph (3) of this subsection should be*  
14        *apportioned for expenditure in the several States,*  
15        *Alaska, and Puerto Rico.*

16       *The Secretary of Commerce shall report the results of such*  
17       *study to the President and the Congress on or before*  
18       *January 1, 1960.*

19       **SEC. 4. ROADS AND TRAILS IN NATIONAL PARKS, ETC.**

20           *(a) NATIONAL PARKS, ETC.—For the construction,*  
21        *reconstruction, and improvement of roads and trails, inclusive*  
22        *of necessary bridges, in national parks, monuments, and other*  
23        *areas administered by the National Park Service, including*  
24        *areas authorized to be established as national parks and*  
25        *monuments, and national park and monument approach*

1 roads authorized by the Act of January 31, 1931 (46 Stat.  
2 1053), as amended, there is hereby authorized to be appro-  
3 priated the sum of \$20,000,000 for the fiscal year ending  
4 June 30, 1960, and a like sum for the fiscal year ending  
5 June 30, 1961.

6 (b) PARKWAYS.—For the construction, reconstruction,  
7 and improvement of parkways, authorized by Acts of Con-  
8 gress, on lands to which title is vested in the United States,  
9 there is hereby authorized to be appropriated the sum of  
10 \$16,000,000 for the fiscal year ending June 30, 1960, and  
11 a like sum for the fiscal year ending June 30, 1961.

12 (c) INDIAN RESERVATIONS AND LANDS.—For the  
13 construction, reconstruction, and improvement of Indian  
14 reservation roads and bridges and roads and bridges to pro-  
15 vide access to Indian reservations and Indian lands under  
16 the provisions of the Act approved May 26, 1928 (45 Stat.  
17 750), there is hereby authorized to be appropriated the  
18 sum of \$12,000,000 for the fiscal year ending June 30, 1960,  
19 and a like sum for the fiscal year ending June 30, 1961:  
20 Provided, That the location, type, and design of all roads  
21 and bridges constructed shall be approved by the Secretary  
22 of Commerce before any expenditures are made thereon, and  
23 all such construction shall be under the general supervision  
24 of the Secretary of Commerce.



1    **SEC. 5. PUBLIC LANDS HIGHWAYS.**

2        *For the purpose of carrying out the provisions of section*  
3    *10 of the Federal-Aid Highway Act of 1950 (64 Stat. 785),*  
4    *there is hereby authorized to be appropriated for the survey,*  
5    *construction, reconstruction, and maintenance of main roads*  
6    *through unappropriated or unreserved public lands, non-*  
7    *taxable Indian lands, or other Federal reservations the sum*  
8    *of \$4,000,000 for the fiscal year ending June 30, 1960,*  
9    *and a like sum for the fiscal year ending June 30, 1961.*

10    **SEC. 6. SPECIAL PROVISIONS FOR FEDERAL DOMAIN ROADS,**  
11        **ETC.**

12        *Any funds authorized herein for forest highways, forest*  
13    *development roads and trails, park roads and trails, park-*  
14    *ways, Indian roads, and public lands highways shall be*  
15    *available for contract upon apportionment, or a date not*  
16    *earlier than one year preceding the beginning of the fiscal*  
17    *year for which authorized if no apportionment is required:*  
18    *Provided, That any amount remaining unexpended two*  
19    *years after the close of the fiscal year for which authorized*  
20    *shall lapse. The Secretary of the department charged with*  
21    *the administration of such funds is hereby granted authority*  
22    *to incur obligations, approve projects, and enter into con-*  
23    *tracts under such authorizations, and his action in doing so*  
24    *shall be deemed a contractual obligation of the Federal*  
25    *Government for the payment of the cost thereof, and such*

1 funds shall be deemed to have been expended when so  
2 obligated. Any funds heretofore, herein, or hereafter au-  
3 thorized for any fiscal year for forest highways, forest de-  
4 velopment roads and trails, park roads and trails, parkways,  
5 Indian roads, and public lands highways shall be deemed to  
6 have been expended if a sum equal to the total of the sums  
7 authorized for such fiscal year and previous fiscal years since  
8 and including the fiscal year ending June 30, 1955, shall  
9 have been obligated. Any of such funds released by pay-  
10 ment of final voucher or modification of project authorization  
11 shall be credited to the balance of unobligated authorizations  
12 and be immediately available for expenditure.

13 SEC. 7. (a) AUTHORIZATION OF APPROPRIATIONS  
14 FOR INTERSTATE SYSTEM.—Section 108 (b) of the Federal-  
15 Aid Highway Act of 1956 (70 Stat. 374) is hereby amended  
16 to read as follows:

17 “(b) AUTHORIZATION OF APPROPRIATIONS.—For the  
18 purpose of expediting the construction, reconstruction, or im-  
19 provement, inclusive of necessary bridges and tunnels, of the  
20 Interstate System, including extensions thereof through urban  
21 areas, designated in accordance with the provisions of section  
22 7 of the Federal-Aid Highway Act of 1944 (58 Stat. 838),  
23 there is hereby authorized to be appropriated the additional  
24 sum of \$1,000,000,000 for the fiscal year ending June 30,  
25 1957, which sum shall be in addition to the authorization

1 heretofore made for that year, the additional sum of  
 2 \$1,700,000,000 for the fiscal year ending June 30, 1958,  
 3 the additional sum of \$2,200,000,000 for the fiscal year  
 4 ending June 30, 1959, the additional sum of \$2,500,000,000  
 5 for the fiscal year ending June 30, 1960, the additional sum  
 6 of \$2,500,000,000 for the fiscal year ending June 30, 1961,  
 7 the additional sum of \$2,200,000,000 for the fiscal year end-  
 8 ing June 30, 1962, the additional sum of \$2,200,000,000  
 9 for the fiscal year ending June 30, 1963, the additional sum  
 10 of \$2,200,000,000 for the fiscal year ending June 30, 1964,  
 11 the additional sum of \$2,200,000,000 for the fiscal year end-  
 12 ing June 30, 1965, the additional sum of \$2,200,000,000  
 13 for the fiscal year ending June 30, 1966, the additional sum  
 14 of \$2,200,000,000 for the fiscal year ending June 30, 1967,  
 15 the additional sum of \$1,500,000,000 for the fiscal year end-  
 16 ing June 30, 1968, and the additional sum of \$1,025,000,-  
 17 000 for the fiscal year ending June 30, 1969.”

18 (b) APPORTIONMENTS.—Any portion of this additional  
 19 sum herein authorized for the fiscal year ending June 30,  
 20 1959, that has not been apportioned heretofore shall be  
 21 apportioned immediately upon enactment of this Act.

22 SEC. 8. APPROVAL OF ESTIMATE OF COST OF COMPLETING  
 23 THE INTERSTATE SYSTEM.

24 The estimate of cost of completing the Interstate System  
 25 in each State, transmitted to the Congress on January 7,



1 1958, by the Secretary of Commerce pursuant to the provi-  
2 sions of section 108 (d) of the Act approved June 29, 1956  
3 (70 Stat. 374), and published as House Document Num-  
4 bered 300, Eighty-fifth Congress, second session, is hereby  
5 approved as the basis for making the apportionment of the  
6 funds authorized for the Interstate System for the fiscal year  
7 ending June 30, 1960.

8     *SEC. 9. APPORTIONMENT OF FEDERAL-AID HIGHWAY*  
9 *FUNDS FOR FISCAL YEARS 1959 and 1960.*—Notwith-  
10 standing the provisions of section 209 (g) of the Act ap-  
11 proved June 29, 1956 (70 Stat. 374), the Secretary of Com-  
12 merce is authorized and directed to apportion among the sev-  
13 eral States in the manner provided by law, all of the funds  
14 authorized for the fiscal years 1959 and 1960, for the Inter-  
15 state System and the Federal-aid primary and secondary  
16 highway systems, including extensions thereof within urban  
17 areas.

18     *SEC. 10. The first sentence of the second paragraph of*  
19 *section 13 of the Federal Highway Act, approved November*  
20 *9, 1921 (42 Stat. 212), is amended by inserting before the*  
21 *period at the end thereof the following: "plus the United*  
22 *States pro rata part of the value of the materials which*  
23 *have been stockpiled in the vicinity of such construction or*  
24 *reconstruction in conformity to said plans and specifications".*

25     *SEC. 11. (a) Subsection (a) of section 111 of the*

1 *Federal-Aid Highway Act of 1956 is amended to read*  
2 *as follows:*

3       “(a) *AVAILABILITY OF FEDERAL FUNDS FOR RE-*  
4 *IMBURSEMENT TO STATES.—Whenever a State under State*  
5 *law is required to pay for all or any part of the cost of re-*  
6 *location of utility facilities necessitated by the construction of*  
7 *a project on any of the Federal-aid highway systems, Federal*  
8 *funds may be used to reimburse the State for such cost in the*  
9 *same proportion as Federal funds are expended on the project*  
10 *not to exceed 70 per centum of such cost which the State is*  
11 *obligated to pay: Provided, That such reimbursement shall*  
12 *be made only after evidence satisfactory to him shall have been*  
13 *presented to the Secretary substantiating the fact that the*  
14 *State has paid such cost from its own funds.”*

15       “(b) *This section shall apply only with respect to Federal-*  
16 *aid highway projects covered by formal project agreements*  
17 *executed by the Secretary subsequent to the date of enactment*  
18 *of this Act.*

19       *SEC. 12. The Federal-Aid Highway Act of 1956 (70*  
20 *Stat. 374) is amended by renumbering section 122 as sec-*  
21 *tion 123 and inserting a new section 122, as follows:*

22       “*SEC. 122. AREAS ADJACENT TO THE INTERSTATE SYSTEM.*

23       “(a) *NATIONAL POLICY.—To promote the safety, con-*  
24 *venience, and enjoyment of public travel and the free flow of*  
25 *interstate commerce and to protect the public investment in*

1 *the National System of Interstate and Defense Highways,*  
2 *it is hereby declared to be in the public interest to encourage*  
3 *and assist the States to control the use of and to improve*  
4 *areas adjacent to the Interstate System by controlling the*  
5 *erection and maintenance of outdoor advertising signs, dis-*  
6 *plays, and devices adjacent to that system. It is hereby*  
7 *declared to be a national policy that the erection and main-*  
8 *tenance of outdoor advertising signs, displays, or devices*  
9 *within six hundred and sixty feet of the edge of the right-of-*  
10 *way and visible from the main-traveled way of all portions*  
11 *of the Interstate System should be regulated, consistent with*  
12 *national standards to be prepared and promulgated by the*  
13 *Secretary, which shall provide for:*

14       “(1) *Directional or other official signs or notices that*  
15 *are required or authorized by law.*

16       “(2) *Signs advertising the sale or lease of the property*  
17 *upon which they are located.*

18       “(3) *Signs not larger than five hundred square inches*  
19 *advertising activities being conducted at a location within*  
20 *twelve miles of the point at which such signs are located.*

21       “(4) *Signs erected or maintained pursuant to author-*  
22 *ization in State law and not inconsistent with the national*  
23 *policy and standards of this section, and designed to give*  
24 *information in the specific interest of the traveling public.*

25       “(b) *AGREEMENTS.—The Secretary of Commerce is*



1 authorized to enter into agreements with State highway de-  
2 partments (including such supplementary agreements as may  
3 be necessary) to carry out the national policy set forth in  
4 subsection (a) of this section with respect to the Interstate  
5 System within the State. Any such agreement shall include  
6 provisions for regulation and control of the erection and  
7 maintenance of advertising signs, displays, and other adver-  
8 tising devices in conformity with the standards established in  
9 accordance with subsection (a) and may include, among  
10 other things, provisions for preservation of natural beauty,  
11 prevention of erosion, landscaping, reforestation, develop-  
12 ment of viewpoints for scenic attractions that are accessible  
13 to the public without charge, and the erection of markers,  
14 signs, or plaques, and development of areas in appreciation  
15 of sites of historical significance. Any such agreement may,  
16 within the discretion of the Secretary of Commerce, consist-  
17 ent with the national policy, provide for excluding from  
18 application of the national standards segments of the Inter-  
19 state System which traverse incorporated municipalities  
20 wherein the use of real property adjacent to the Interstate  
21 System is subject to municipal regulation or control, or which  
22 traverse other areas where the land use is clearly established  
23 by State law as industrial or commercial, or which are built  
24 on rights-of-way wholly acquired before July 1, 1956.

25 “(c) *FEDERAL SHARE*.—Notwithstanding the provisions

1 of section 2 of the Federal-Aid Highway Act of 1944 (58  
2 Stat. 838), if an agreement pursuant to this section has  
3 been entered into with any State prior to July 1, 1961,  
4 the Federal share payable on account of any project on the  
5 Interstate System within that State provided for by funds  
6 authorized under the provisions of section 108 of this Act, to  
7 which the national policy and the agreement apply, shall be  
8 increased by one-half of one per centum of the total cost  
9 thereof, not including any additional cost that may be in-  
10 curred in the carrying out of the agreement: Provided, That  
11 the increase in the Federal share which is payable hereunder  
12 shall be paid only from appropriations from moneys in the  
13 Treasury not otherwise appropriated, which such appropria-  
14 tions are hereby authorized.

15 “(d) Whenever any portion of the Interstate System  
16 is located upon or adjacent to any public lands or reserva-  
17 tions of the United States, the Secretary of Commerce may  
18 make such arrangements and enter into such agreements  
19 with the agency having jurisdiction over such lands or reser-  
20 vations as may be necessary to carry out the national policy  
21 set forth in subsection (a) of this section, and any such  
22 agency is hereby authorized and directed to cooperate fully  
23 with the Secretary of Commerce in this connection.

24 “(e) Whenever a State shall acquire by purchase or  
25 condemnation the right to advertise or regulate advertising

1 *in an area adjacent to the right-of-way of a project on the*  
2 *Interstate System for the purpose of implementing this sec-*  
3 *tion, the cost of such acquisition shall be considered as a*  
4 *part of the cost of construction of such project and Federal*  
5 *funds may be used to pay the Federal pro rata share of such*  
6 *cost: Provided, That reimbursement to the State shall be*  
7 *made only with respect to that portion of such cost which*  
8 *does not exceed 5 per centum of the cost of the right-of-way*  
9 *for such project."*

10 **SEC. 13. RELATIONSHIP OF THIS ACT TO OTHER ACTS: EFFEC-**  
11 **TIVE DATE.**

12 *All provisions of the Federal-Aid Road Act approved*  
13 *July 11, 1916, together with all Acts amendatory thereof*  
14 *or supplementary thereto, not inconsistent with this Act,*  
15 *shall remain in full force and effect and be applicable hereto.*  
16 *All Acts or parts of Acts in any way inconsistent with the*  
17 *provisions of the Act are hereby repealed. This Act shall*  
18 *take effect on the date of enactment.*

19 **SEC. 14. SHORT TITLE.**

20 *This Act may be cited as the "Federal-Aid Highway*  
21 *Act of 1958".*





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# A BILL

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To amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes.

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By Mr. GORE, Mr. CARROLL, Mr. MORSE, Mr. MANSFIELD, Mr. YARBOROUGH, Mr. PASTORE, Mr. PROXMIRE, Mr. HUMPHREY, Mr. NEUBERGER, Mr. MURRAY, Mr. KENNEDY, Mr. CHAVEZ, Mr. McNAMARA, Mr. MAGNUSON, Mr. JACKSON, Mr. CHURCH, Mr. BARRETT, Mr. KUCHEL, Mr. REVERCOMB, and Mr. HENNING

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MARCH 6, 1958

Read twice and referred to the Committee on Public Works

MARCH 22, 1958

Reported with an amendment







MARCH 24, 1958

12. **ELECTRIFICATION.** Sen. Yarborough criticized the proposal to raise the interest rates on REA loans, and urged the President to "withdraw his announced proposals to raise REA interest rates." p. 4528  
Sen. Humphrey inserted a local REA coop resolution opposing any increase in interest rates on REA loans. p. 4497
13. **ROADS.** Began debate on S. 3414, authorizing appropriations for the construction of highways, including Forest Service highways, and roads and trails. (pp. 4525-27, 4537-45, 4546-48) This bill had been reported during Senate recess Mar. 22 (S. Rept. 1407). (p. 4493)  
Sen. Case submitted an amendment which he intends to propose to the bill which will "enable persons in rural areas adversely affected by the proposed location of a highway on the National System of Interstate and Defense Highways to register their protests over the proposed location." (p. 4537)
14. **PUBLIC LANDS.** Agreed to a motion by Sen. Humphrey to reconsider the vote by which the Senate passed S. 1538, to provide for the adjustment of the legislative jurisdiction exercised by the U. S. over land in the several States used for Federal purposes. The House was requested to return the bill to the Senate. pp. 4563-64
15. **ECONOMIC SITUATION.** Several Senators discussed and inserted material on current economic conditions. pp. 4517-18, 4531, 4534-35, 4554-62
16. **FOREIGN AFFAIRS.** Sen. Smith, N. J., inserted the testimony of Secretary of State Dulles on Mar. 24, 1958, before the Senate Foreign Relations Committee in support of the mutual security program. pp. 4519-21
17. **AGRICULTURE HALL OF FAME.** Sen. Carlson inserted a newspaper editorial in support of naming the proposed Hall of Fame for Agriculture after the late Sen. Arthur Capper. pp. 4531-32
18. **FORESTRY.** The Interior and Insular Affairs Committee reported, with amendment, S. 1748, to add certain lands to the Caribou and Targhee National Forests, Ida. and Wyo. (S. Rept. 1408). p. 4500  
Sen. Thurmond inserted a resolution of the S. C. Legislature urging a program to aid landowners to grow hardwoods as well as pine trees under the conservation reserve and other programs. pp. 4495-6
19. **DAIRY PRICE SUPPORTS.** Sen. Thye inserted resolutions by two Farmers' Union locals and two creameries, opposing the announced reduction of dairy price supports. pp. 4496-7  
Sen. Humphrey inserted a resolution of the Bertha, Minn., Commercial Club opposing the announced reduction of dairy price supports. p. 4497  
Sen. Proxmire criticized the announced reduction in dairy price supports and stated that milk today is worth only 77% of what it was five years ago. pp. 4536-7
20. **FARM PROGRAM.** Sen. Proxmire urged the President to sign the resolution to freeze price supports and acreage allotments, and stated that a veto would cause unemployment in the economy. p. 4537  
Sen. Humphrey inserted a Currie, Minn., Farmers' Union resolution urging full parity farm prices as a contribution to bolstering the economy. p. 4498  
Sen. Carlson inserted the resolutions of the Farmers Union Jobbing Ass'n endorsing the value of agricultural research, supporting farmer cooperatives, and supporting the acreage allotment and price support freeze measure. pp. 4499-4500

21. CIVIL DEFENSE. Sen. Johnston criticized the present civil defense program, and urged the dispersal of Government agencies away from Washington and expanded civil defense program. pp. 4513-14

ITEMS IN APPENDIX

22. RECLAMATION. Extension of remarks of Sen. Kuchel stating that "the Central Valley project is a truly magnificent example of Federal reclamation," and inserting an article describing the earnings of this project. pp. A2704-5  
Rep. Ullman inserted an editorial pointing out that construction of multi-purpose projects would be a most effective weapon against the recession. p. A2751
23. PUBLIC WORKS. Sen. Knowland inserted his statement outlining some of the steps which had been taken by the administration and/or the Senate toward the acceleration of economic recovery. pp. A2708-10
24. LANDS. Sen. Neuberger inserted 2 editorials in favor of his bill S. 3051, to govern the disposal of timberlands of the Klamath Indian Reservation. pp. A2710-1, A2715  
Extension of remarks of Rep. Porter inserting a letter written by him to the editor and an editorial written by Sen. Neuberger commenting on the Al Sarena case. pp. A2736-7  
Extension of remarks of Rep. Minshall commending Interior Secretary Seaton. p. A2751
25. WILDLIFE. Sen. O'Mahoney inserted a prize-winning essay on National Wildlife Week. pp. A2711-2
26. FARM PROGRAM. Extension of remarks of Sen. Thurmond stating that "agriculture is a career that presents an unusual challenge requiring skills which combine science and business," and inserting an article, "Farming Is Changing--Not Fading." p. A2712  
Speech in the House by Rep. Michel during debate on S. J. Res. 162, the measure to freeze price supports and acreage allotments. p. A2720  
Extension of remarks of Rep. Cooley urging the President to approve S. J. Res. 162, and stating that "it is beyond all understanding that the President would veto Senate Joint Resolution 162 and endorse the actions of his Secretary to reduce again the already depressed conditions of farm families..." pp. A2722-3  
Rep. Curtis, Mo., inserted an article opposing the proposed price support and acreage allotment freeze. p. A2757
27. FORESTRY. Extension of remarks of Sen. Thurmond stating that "one of the greatest of our natural resources is our forests," and inserting an editorial commending the forest conservation program in S. C. pp. A2714-5  
Extension of remarks of Rep. Mack stating that "the present heavy imports of Japanese plywood are depriving about 8,000 Pacific Northwest and southern plywood plant workers and the loggers who supply them raw materials of employment." pp. A2729-30  
Rep. Van Pelt inserted a statement compiled by the American Paper and Pulp Ass'n opposing S. 3372, to provide assistance for the construction of a pilot plant experimental newsprint mill in northern Wis. pp. A2761-3
28. TEXTILES. Various insertions describing the effects of imports on the textile industry. pp. A2724-5, A2725-6, A2739-40



directly affect my State, but I believe it is necessary legislation.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 11086) was ordered to a third reading, was read the third time, and passed.

The PRESIDING OFFICER. Without objection, S. 3406 is indefinitely postponed.

# FEDERAL-AID HIGHWAY ACT OF 1958

Mr. JAVITS obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MANSFIELD. I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 1432, S. 3414, a bill to amend and supplement the Federal-Aid Highway Act.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3414) to amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. MANSFIELD. Mr. President, in line with the agreement made by the leadership, I wonder if the distinguished Senator from New York will yield so that I may suggest the absence of a quorum, with the understanding that the Senator from New York will not lose his right to the floor.

Mr. JAVITS. Mr. President, I yield for that purpose.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there objection to the request of the Senator from Montana [Mr. MANSFIELD]?

There being no objection, the Senate proceeded to consider the bill (S. 3414) to amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes, which had been reported from the Committee on Public Works with an amendment, to strike out all after the enacting clause and insert:

## SEC. 1. Federal-aid highways.

(a) (1) Authorization of appropriations: For the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all acts amendatory thereof and supplementary thereto, there is hereby authorized to be

appropriated the sum of \$900 million for the fiscal year ending June 30, 1960; and the sum of \$900 million for the fiscal year ending June 30, 1961. The sums herein authorized for each fiscal year shall be available for expenditure as follows:

(A) Forty-five percent for projects on the Federal-aid primary highway system.

(B) Thirty percent for projects on the Federal-aid secondary highway system.

(C) Twenty-five percent for projects on extensions of these systems within urban areas.

(2) Apportionments: The sums authorized by this section shall be apportioned among the several States in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838).

(b) Availability for expenditure: Any sums apportioned to any State under this section shall be available for expenditure in that State for 2 years after the close of the fiscal year for which such sums are authorized, and any amounts so apportioned remaining unexpended at the end of such period shall lapse: *Provided*, That such funds shall be deemed to have been expended if a sum equal to the total of the sums herein and heretofore apportioned to the State is covered by formal agreements with the Secretary of Commerce for construction, reconstruction, or improvements of specific projects as provided in this act and prior acts: *Provided further*, That in the case of those sums heretofore, herein, or hereafter apportioned to any State for projects on the Federal-aid secondary highway system, the Secretary of Commerce may, upon the request of any State, discharge his responsibility relative to the plans, specifications, estimates, surveys, contract awards, design, inspection, and construction of such secondary road projects by his receiving and approving a certified statement by the State highway department setting forth that the plans, design, and construction for such projects are in accord with the standards and procedures of such State applicable to projects in this category approved by him: *Provided further*, That such approval shall not be given unless such standards and procedures are in accordance with the objectives set forth in section 1 (b) of the Federal-Aid Highway Act of 1950: *And provided further*, That nothing contained in the foregoing provisions shall be construed to relieve any State of its obligation now provided by law relative to maintenance, nor to relieve the Secretary of Commerce of his obligation with respect to the selection of the secondary system or the location of projects thereon, to make a final inspection after construction of each project, and to require an adequate showing of the estimated and actual cost of construction of each project. Any Federal-aid primary, secondary, or urban funds released by the payment of the final voucher or by modification of the formal project agreement shall be credited to the same class of funds, primary, secondary, or urban, previously apportioned to the State and be immediately available for expenditure.

SEC. 2. (a) Additional authorization of appropriation of Federal-aid primary, secondary, and urban funds: For the purpose of carrying out the provisions of the Federal-Aid Road Act, approved July 11, 1916 (39 Stat. 355), and all acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1959, \$400 million in addition to any sums heretofore authorized for such fiscal year. The sum herein authorized shall be apportioned: (A) 45 percent for projects on Federal-aid primary highway system, (B) 30 percent for projects on the Federal-aid secondary highway system, (C) 25 percent for projects on extensions of these systems within urban areas among the

several States immediately upon enactment of this act in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838).

(b) The amounts authorized to be appropriated in section 2 (a) herein shall be available for expenditure pursuant to contracts awarded by the State highway departments prior to December 1, 1958, which shall provide for completion of construction prior to December 1, 1959. Any amounts apportioned to a State under provisions of this section remaining unexpended as above provided on December 1, 1958, shall lapse.

(c) The sums apportioned under this section shall be available for expenditure for projects on the primary or secondary Federal-aid systems, including extensions of these systems within urban areas, without limitation as to the percentage to be utilized on any system.

(d) The Federal share payable on account of any project provided for by funds made available under the provisions of this section shall be increased to 70 percent of the total cost thereof plus, in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 percent of the total area of all lands therein, a percentage of the remaining 30 percent of such cost equal to the percentage that the area of such lands in such State is of its total area: *Provided*, That such Federal share payable on any project in any State shall not exceed 95 percent of the total cost of such project.

(e) Authorization of appropriation for increasing Federal share: For the purpose of assisting any State in meeting the requirements for State funds to match any sums apportioned to such State under the provisions of this section, there is hereby authorized to be appropriated the sum of \$115 million, which sum may be used by the Secretary of Commerce upon request of any State to increase the Federal share payable on account of any project provided for by funds made available under the provisions of this section: *Provided*, That the amount of such increase of the Federal share shall not exceed two-thirds of the State's share of the cost of such project.

(f) Reimbursement: The total amount of such increases in the Federal share as are made pursuant to subsection (e) above, shall be reimbursed to the Federal Government by making deductions of sums equal to the amounts expended for projects on the Federal-aid primary highway system, the Federal-aid secondary highway system and extensions of such systems in urban areas in two equal amounts from the amounts available to such State for expenditure on such highways under any apportionment of funds authorized to be appropriated therefor for the fiscal years ending June 30, 1961 and June 30, 1962.

(g) Contract authority: Approval by the Secretary of Commerce of any project on account of which the Federal share is increased under the provisions of this section shall be deemed a contractual obligation of the Federal Government for the payment of such increase in the Federal share, and such funds shall be deemed to have been expended when so obligated.

(h) It is hereby declared to be the intent of the Congress that the sum authorized under this section shall be supplementary to, and not in lieu of, any other sum heretofore or herein authorized for expenditure on the Federal-aid primary or secondary systems, including extensions of these systems within urban areas, and is made available for the purpose of immediate acceleration of the rate of highway construction on these systems beyond that being accomplished with funds otherwise authorized.



### SEC. 3. Forest highways and forest development roads and trails.

(a) Authorization of appropriations: For the purpose of carrying out the provisions of section 23 of the Federal Highway Act of 1921 (42 Stat. 218), as amended and supplemented, there is hereby authorized to be appropriated (1) for forest highways the sum of \$36 million for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961; and (2) for forest development roads and trails the sum of \$34 million for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961: *Provided*, That with respect to any proposed construction or reconstruction of a timber access road, advisory public hearings may be held at a place convenient or adjacent to the area of construction or reconstruction with notice and reasonable opportunity for interested persons to present their views as to the practicability and feasibility of such construction or reconstruction: *Provided further*, That hereafter funds available for forest highways and forest development roads and trails shall also be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities: *Provided further*, That the same percentage of the amounts authorized under this subsection for forest highways for each of the fiscal years ending June 30, 1960, and June 30, 1961, shall be apportioned for expenditure in each State, Alaska, or Puerto Rico as was apportioned for expenditure in each State, Alaska, or Puerto Rico from funds authorized under this subsection for forest highways for the fiscal year ending June 30, 1958: *Provided further*, That the apportionment heretofore made by the Secretary of Commerce for the fiscal year ending June 30, 1959, is hereby approved: *And provided further*, That any State may transfer not to exceed the lesser of \$500,000 or 5 percent of the amounts apportioned to such State under section 1 hereof to augment any apportionment made to such State for the construction, reconstruction, or improvement of forest highways pursuant to this section; and when so transferred such sums may be expended in the same manner as funds authorized by this section for such purposes.

(b) The Secretary of Commerce, in cooperation with the appropriate officers of each State containing a national forest, the Commonwealth of Puerto Rico, and the Territory of Alaska, shall make a study to determine—

(1) The forest roads of primary importance to a State, county, or community which are within, adjoining, or adjacent to a national forest and have not been designated as forest highways;

(2) The amount necessary to complete construction of all forest highways;

(3) The amounts necessary for the fiscal year ending June 30, 1962, and for each of the 9 succeeding fiscal years to survey, construct, reconstruct, and maintain (A) forest highways, and (B) roads described in paragraph (1) of this subsection if such roads were forest highways; and

(4) The method by which the amounts determined pursuant to paragraph (3) of this subsection should be apportioned for expenditure in the several States, Alaska, and Puerto Rico.

The Secretary of Commerce shall report the results of such study to the President and the Congress on or before January 1, 1960.

### SEC. 4. Roads and trails in national parks, etc.

(a) National parks, etc.: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monu-

ments, and national park and monument approach roads authorized by the act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of \$20 million for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961.

(b) Parkways: For the construction, reconstruction, and improvement of parkways, authorized by acts of Congress, on lands to which title is vested in the United States, there is hereby authorized to be appropriated the sum of \$16 million for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961.

(c) Indian reservations and lands: For the construction, reconstruction, and improvement of Indian reservation roads and bridges and roads and bridges to provide access to Indian reservations and Indian lands under the provisions of the act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of \$12 million for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961: *Provided*, That the location, type, and design of all roads and bridges constructed shall be approved by the Secretary of Commerce before any expenditures are made thereon, and all such construction shall be under the general supervision of the Secretary of Commerce.

### SEC. 5. Public lands highways

For the purpose of carrying out the provisions of section 10 of the Federal-Aid Highway Act of 1950 (64 Stat. 785), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations the sum of \$4 million for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961.

### SEC. 6. Special provisions for Federal domain roads, etc.

Any funds authorized herein for forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public lands highways shall be available for contract upon apportionment, or a date not earlier than 1 year preceding the beginning of the fiscal year for which authorized if no apportionment is required: *Provided*, That any amount remaining unexpended 2 years after the close of the fiscal year for which authorized shall lapse. The Secretary of the department charged with the administration of such funds is hereby granted authority to incur obligations, approve projects, and enter into contracts under such authorizations, and his action in doing so shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and such funds shall be deemed to have been expended when so obligated. Any funds heretofore, herein, or hereafter authorized for any fiscal year for forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public lands highways shall be deemed to have been expended if a sum equal to the total of the sums authorized for such fiscal year and previous fiscal years since and including the fiscal year ending June 30, 1955, shall have been obligated. Any of such funds released by payment of final voucher or modification of project authorization shall be credited to the balance of unobligated authorizations and be immediately available for expenditure.

SEC. 7. (a) Authorization of appropriations for interstate system: Section 108 (b) of the Federal-Aid Highway Act of 1956 (70 Stat. 374) is hereby amended to read as follows:

"(b) Authorization of appropriations: For the purpose of expediting the construction, reconstruction, or improvement, inclusive of

necessary bridges and tunnels, of the Interstate System, including extensions thereof through urban areas, designated in accordance with the provisions of section 7 of the Federal-Aid Highway Act of 1944 (58 Stat. 838), there is hereby authorized to be appropriated the additional sum of \$1 billion for the fiscal year ending June 30, 1957, which sum shall be in addition to the authorization heretofore made for that year, the additional sum of \$1,700,000,000 for the fiscal year ending June 30, 1958, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1959, the additional sum of \$2,500,000,000 for the fiscal year ending June 30, 1960, the additional sum of \$2,500,000,000 for the fiscal year ending June 30, 1961, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1962, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1963, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1964, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1965, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1966, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1967, the additional sum of \$1,500,000,000 for the fiscal year ending June 30, 1968, and the additional sum of \$1,025,000,000 for the fiscal year ending June 30, 1969."

(b) Apportionments: Any portion of this additional sum herein authorized for the fiscal year ending June 30, 1959, that has not been apportioned heretofore shall be apportioned immediately upon enactment of this act.

### SEC. 8. Approval of estimate of cost of completing the Interstate System.

The estimate of cost of completing the Interstate System in each State, transmitted to the Congress on January 7, 1958, by the Secretary of Commerce pursuant to the provisions of section 108 (d) of the act approved June 29, 1956 (70 Stat. 374), and published as House Document No. 300, 85th Congress, second session, is hereby approved as the basis for making the apportionment of the funds authorized for the Interstate System for the fiscal year ending June 30, 1960.

SEC. 9. Appointment of Federal-aid highway funds for fiscal years 1959 and 1960: Notwithstanding the provisions of section 209 (g) of the act approved June 29, 1956 (70 Stat. 374), the Secretary of Commerce is authorized and directed to apportion among the several States in the manner provided by law, all of the funds authorized for the fiscal years 1959 and 1960, for the Interstate System and the Federal-aid primary and secondary highway systems, including extensions thereof within urban areas.

SEC. 10. The first sentence of the second paragraph of section 13 of the Federal Highway Act, approved November 9, 1921 (42 Stat. 212), is amended by inserting before the period at the end thereof the following: "plus the United States pro rata part of the value of the materials which have been stockpiled in the vicinity of such construction or reconstruction in conformity to said plans and specifications."

SEC. 11. (a) Subsection (a) of section 111 of the Federal-Aid Highway Act of 1956 is amended to read as follows:

"(a) Availability of Federal funds for reimbursement to States: Whenever a State under State law is required to pay for all or any part of the cost of relocation of utility facilities necessitated by the construction of a project on any of the Federal-Aid Highway Systems, Federal funds may be used to reimburse the State for such cost in the same proportion as Federal funds are expended on the project not to exceed 70 percent of such cost which the State is obligated to pay: *Provided*, That such reimbursement shall be made only after evidence satisfactory to him shall have been presented to the Secretary substantiating the fact that the State has paid such cost from its own funds."



(b) This section shall apply only with respect to Federal-aid highway projects covered by formal project agreements executed by the Secretary subsequent to the date of enactment of this act.

SEC. 12. The Federal-Aid Highway Act of 1956 (70 Stat. 374) is amended by renumbering section 122 as section 123 and inserting a new section 122, as follows:

"SEC. 122. Areas adjacent to the Interstate System.

"(a) National policy: To promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investment in the National System of Interstate and Defense Highways it is hereby declared to be in the public interest to encourage and assist the States to control the use of and to improve areas adjacent to the Interstate System by controlling the erection and maintenance of outdoor advertising signs, displays, and devices adjacent to that system. It is hereby declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within 660 feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System should be regulated, consistent with national standards to be prepared and promulgated by the Secretary, which shall provide for:

"(1) Directional or other official signs or notices that are required or authorized by law.

"(2) Signs advertising the sale or lease of the property upon which they are located.

"(3) Signs not larger than 500 square inches advertising activities being conducted at a location within 12 miles of the point at which such signs are located.

"(4) Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

"(b) Agreements: The Secretary of Commerce is authorized to enter into agreements with State highway departments (including such supplementary agreements as may be necessary) to carry out the national policy set forth in subsection (a) of this section with respect to the Interstate System within the State. Any such agreement shall include provisions for regulation and control of the erection and maintenance of advertising signs, displays, and other advertising devices in conformity with the standards established in accordance with subsection (a) and may include, among other things, provisions for preservation of natural beauty, prevention of erosion, landscaping, reforestation, development of viewpoints for scenic attractions that are accessible to the public without charge, and the erection of markers, signs, or plaques, and development of areas in appreciation of sites of historical significance. Any such agreement may, within the discretion of the Secretary of Commerce, consistent with the national policy, provide for excluding from application of the national standards segments of the Interstate System which traverse incorporated municipalities wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control, or which traverse other areas where the land use is clearly established by State law as industrial or commercial, or which are built on rights-of-way wholly acquired before July 1, 1956.

"(c) Federal share: Notwithstanding the provisions of section 2 of the Federal-Aid Highway Act of 1944 (58 Stat. 838), if an agreement pursuant to this section has been entered into with any State prior to July 1, 1961, the Federal share payable on account of any project on the Interstate System within that State provided for by funds authorized under the provisions of section

108 of this act, to which the national policy and the agreement apply, shall be increased by one-half of 1 percent of the total cost thereof, not including any additional cost that may be incurred in the carrying out of the agreement: *Provided*, That the increase in the Federal share which is payable hereunder shall be paid only from appropriations from moneys in the Treasury not otherwise appropriated, which such appropriations are hereby authorized.

"(d) Whenever any portion of the Interstate System is located upon or adjacent to any public lands or reservations of the United States, the Secretary of Commerce may make such arrangements and enter into such agreements with the agency having jurisdiction over such lands or reservations as may be necessary to carry out the national policy set forth in subsection (a) of this section, and any such agency is hereby authorized and directed to cooperate fully with the Secretary of Commerce in this connection.

"(e) Whenever a State shall acquire by purchase or condemnation the right to advertise or regulate advertising in an area adjacent to the right-of-way of a project on the Interstate System for the purpose of implementing this section, the cost of such acquisition shall be considered as a part of the cost of construction of such project and Federal funds may be used to pay the Federal pro rata share of such cost: *Provided*, That reimbursement to the State shall be made only with respect to that portion of such cost which does not exceed 5 percent of the cost of the right-of-way for such project."

SEC. 13. Relationship of this act to other acts: effective date.

All provisions of the Federal-Aid Road Act approved July 11, 1916, together with all acts amendatory thereof or supplementary thereto, not inconsistent with this act, shall remain in full force and effect and be applicable hereto. All acts or parts of acts in any way inconsistent with the provisions of the act are hereby repealed. This act shall take effect on the date of enactment.

SEC. 14. Short title.

This act may be cited as the "Federal-Aid Highway Act of 1958."

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. GEORGE S. LONG, late a Representative from the State of Louisiana, and transmitted the resolutions of the House thereon.

#### ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

S. 1984. An act to provide for the transfer of the Civil Service Commission Building in the District of Columbia to the Smithsonian Institution to house certain art collections of the Smithsonian Institution;

S. J. Res. 162. Joint resolution to stay temporarily any reduction in support prices or acreage allotments; and

H. R. 11085. An act making appropriations for the Treasury and Post Office Departments and the Tax Court of the United States for the fiscal year ending June 30, 1959, and for other purposes.

#### DEATH OF REPRESENTATIVE GEORGE S. LONG, OF LOUISIANA

Mr. ELLENDER. Mr. President, I ask the Chair to lay before the Senate resolutions coming over from the House of Representatives.

The PRESIDING OFFICER laid before the Senate the resolutions of the House of Representatives, which were read, as follows:

House Resolution 508

IN THE HOUSE OF REPRESENTATIVES, U. S.,

March 24, 1958.

*Resolved*, That the House has heard with profound sorrow of the death of the Honorable GEORGE S. LONG, a Representative from the State of Louisiana.

*Resolved*, That a committee of eight Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

*Resolved*, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

*Resolved*, That as a further mark of respect the House do now adjourn.

Mr. ELLENDER. Mr. President, over the weekend the final chapter in an inspiring story of triumph over adversity was written in Washington when death claimed the Honorable GEORGE SHANNON LONG, Representative from the Eighth Congressional District of Louisiana.

As he lived, GEORGE LONG died—serving the people of his State.

For all of his 74 years, GEORGE LONG waged a bitter battle with adversity—yet, this very battle made him a greater man—a man who knew the hard side of life, a man who knew the better side, and a man who could thus appreciate the problems of people.

He was born in a log cabin in Tunica, La., September 11, 1883. From this humble beginning, GEORGE LONG and his brothers and sisters reached a position as one of the best known and influential families in Louisiana.

Of the four Long brothers, all rose to prominence. The eldest was Julius Long, now a retired businessman in Shreveport, La. The youngest was Earl K. Long, today the Governor of Louisiana. Perhaps best known of all his brothers was Huey P. Long, late a United States Senator and the father of my distinguished colleague, the junior Senator from Louisiana.

GEORGE LONG was born at a time when a man made himself what he wanted to be. He and all his brothers decided that they wanted to improve themselves. And they did. It was the age-old story of Americana—the poor country boy seeking his way in life and finding it.

Yet, as GEORGE LONG inched himself forward, he did so with a humility and genuine concern for all his fellow men that earned him friends, not only in his home State, but in other sections of the United States as well.

For example, during a rather lengthy stay in Oklahoma, in 1920, he was



elected to the Oklahoma State Legislature, and served through 1922.

GEORGE LONG was a man of many talents. After attending the public schools in Winn Parish, La., he attended Mount LeBanon College, and later taught school in Winn Parish.

GEORGE LONG's next interest was dentistry, and he received a doctor of dental surgery degree in 1904. He was admitted to the bar in Oklahoma in 1923.

GEORGE LONG returned to Louisiana in 1936, after the death of his brother Huey Long, and made his home in Pineville, where he entered business.

He was elected to the Congress in 1952, and was serving his third term at the time of his death. He is survived by his wife, the former Jewell Tyson, of Pineville.

He was a lifelong member of the Baptist Church, and was a past president of the Pineville Chamber of Commerce. In addition, he was a 32° Mason, a Shriner, and a member of the Kiwanis Club of Pineville.

The life of GEORGE LONG—educator, dentist, lawyer, and legislator—is an inspiring reminder that poverty need not close the door to achievement—that hard work and an abiding desire to overcome adversity can bring a rich and rewarding life.

Those of us who knew GEORGE LONG and now miss him will remember him primarily as a man and as a friend, one who could and did pull himself up from his humble origin to a position whereby he could serve his friends and neighbors—a man who gave to the people of his State unstintingly in time and effort—a man who lived and proved the old axiom that God helps those who help themselves.

Louisiana will miss GEORGE LONG, Mr. President—and so will our country.

Mr. President, I send a resolution to the desk, and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read as follows:

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of Hon. GEORGE S. LONG, late a Representative from the State of Louisiana.

*Resolved*, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

*Resolved*, That, as a further mark of respect to the memory of the deceased Representative, the Senate, at the conclusion of its business today, take a recess until 11 o'clock a. m. tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana?

There being no objection, the resolution (S. Res. 280) was considered by unanimous consent, and unanimously agreed to.

The PRESIDING OFFICER. Pursuant to the second resolving clause, the Chair appoints, as the committee to attend the funeral of the late Representa-

tive, the senior Senator from Louisiana [Mr. ELLENDER] and the junior Senator from Louisiana [Mr. LONG].

#### GOP HIGH INTEREST RATES FOR THE REA

Mr. YARBOROUGH. Mr. President, last Tuesday, March 18, 1958, for the second time in 30 days, the Federal Reserve Board reduced the required reserves of its member banks, thereby releasing a potential \$3 billion of new funds for lending.

A Board spokesman called this action an effort to create credit conditions still more favorable to recovery. In short, this was a move to end the administration's hard money, high interest rate policy, which is largely responsible for the serious unemployment and business recession gripping our Nation today. Surely, all of us can now see the folly and error of this high interest rate policy, which has resulted in more than five million men and women without work and the highest cost of living in our history.

But, despite the critical evidence of how the high interest policy has hurt our economy, this administration seems intent on raising interest rates on REA loans. It is clear that higher REA interest rates could only mean higher rates for electric and telephone service to the farmers and rural communities.

Mr. President, in view of this recession—in view of the fact that REA co-op loans have made money for the taxpayers, not lost it—I now strongly urge that President Eisenhower withdraw his announced proposals to raise REA interest rates. Determination of this administration to raise REA interest rates is like a stubborn motorist who takes the wrong turn and finds himself going in the wrong direction on a one-way street, yet he is too bullheaded to admit he is driving in the wrong direction. There are plenty of places where there is room for, and need for some strong determination in this administration, but this mania to raise REA interest rates is not one of those places. The so-called revolving fund plan is a plan to render the REA into the hands of the private moneylenders. It is an effort to Bensonize the Rural Electric Cooperatives and leave them captives chained to a financial plan that would spell their doom. The present REA financing plan has worked and should be retained unchanged.

Mr. President, I now turn to another subject.

The PRESIDING OFFICER. The Senator from Texas has the floor.

#### TAX CUT NEEDED TO CURE RECESSION

Mr. YARBOROUGH. Mr. President, 10 days ago my amendment to give a tax cut to all Americans was temporarily lost. I said then, and I still say, that a Federal income-tax reduction in the form of raising income-tax exemption from \$600 to \$800, would boost business to the extent of \$3 billion within a few months.

I would like to respectfully remind Members on both sides of the aisle that had we voted through the tax reduction to all Americans, it could have become effective on April 1, and we would have been that big step nearer toward cutting unemployment and ending recession. But it was the position of the administration that this is not the time for a tax cut; that we should wait and see.

With more than 5 million men and women out of work and the number still climbing, I should like to know what we are waiting for? With small-business bankruptcies at an alltime high, I ask again, what are we waiting for? I submit that we have waited long enough, or too long. To sustain my point, let me refer you, Mr. President, to a front-page story in today's Washington Post and Times Herald, headed "Government Economists Now See No Upturn Before Late in Year." The lead of this excellent story, by Joseph R. Slevin, reads as follows:

Government economists are coming to the conclusion that business activity will begin to turn up slowly in the fourth quarter and not before. Some of the gloomier seers think the rise may not begin until the first quarter of next year. And all of the forecasters qualify their predictions by saying that all bets are off if there is no tax cut.

Mr. President, the Senate will have the opportunity again soon to pass the tax reduction for all Americans that I am urging. I urge that when this matter comes up again, that we have immediate favorable action toward ending this recession. I ask unanimous consent that the Washington Post story I referred to earlier be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### GOVERNMENT ECONOMISTS NOW SEE NO UPTURN BEFORE LATE IN YEAR

(By Joseph R. Slevin)

Government economists are coming to the conclusion that business activity will begin to turn up slowly in the fourth quarter and not before. Some of the gloomier seers think the rise may not begin until the first quarter of next year. And all the forecasters qualify their predictions by saying that all bets are off if there is no tax cut.

The recession now has gone further and is expected to last longer than any of the top economists anticipated just a few months ago.

The big, unforeseen trouble has been a sharp drop in automobile sales. Government economists expected the automobile manufacturers to have a good year and they are having a dismal one.

The forecasts of a fourth quarter rise turn partly upon expectations of an improvement in automobile activity when the 1959 models appear in dealer showrooms. If consumers cold-shoulder Detroit for the rest of this year, the economists says prospects of an upturn are very dim indeed.

The trouble that the experts have when they look for a turning point is that no one seems to be able to find a set of buying demands that will be strong enough to kick off a vigorous upsurge. That's why they all look for a slow rise when the advance begins.

State and local government spending for schools, hospitals, roads, and other facilities is expected to continue to climb slowly. So is Federal spending. And so, with any luck, is home building. Consumer spending,



But this is only part of the story. Farmers' costs last month had risen to the highest point in all history. Consequently, today's dollar buys far less than it did in 1953.

The thing that is important to the farmer, Mr. President, is how much his milk will buy. The combination of sharply reduced price for milk and the sharply increased cost of farm operations means that 100 pounds of milk at Mr. Benson's reduced prices will buy only 77 percent as much as it would when he took office.

This is a shocking cut in the farmer's purchasing power—a slash of 23 percent in his buying power in 5 years' time.

I have a table showing the extent of the various price changes for dairy products that have been made since 1952 by Secretary Benson. I ask unanimous consent that this table be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Changes in support level and purchase prices for dairy commodities, 1952-58*

[All figures are supplied by U. S. Department of Agriculture]

Commodity	Marketing year		
	1952	1957	1958
Cheese (pound).....	\$0.38½	\$0.35	\$0.32½
Dried milk (pound):			
Spray.....	.17	.16	.14
Roller.....	.15	.14	.12
Butter (pound).....	.67½	.59½	.57½
Support objective, manufacturing milk (hundredweight).....	3.85	3.25	3.03

#### PRESIDENT EISENHOWER'S PROMISES TO FARMERS

Mr. PROXMIRE. Mr. President, only 8 days remain before the threatened cut in price supports for dairy commodities is scheduled to take effect.

Congress has acted to avert this calamity to our farmers and to our national economy. The decision now rests with the President of the United States.

I wish to compliment the able majority leader for his remarks to the press over the weekend on this important question. In my opinion, he touched on the most vital aspect of this matter when he emphasized that the further reductions in farm prices which Secretary Benson has ordered will cause additional unemployment.

Mr. President, if the President vetoes the resolution adopted by Congress to suspend further cuts in farm prices, he will, in effect, slam the factory gates against more workers in American industry, and turn additional breadwinners into the streets to join the ranks of the unemployed.

I hope the President will consider this consequences of his action as he weighs his decision on this resolution.

I hope he will consider also the promises he has made to the farmers of this country—promises which, unhappily, he has never kept. After 5 years of steadily declining farm prices—a decline of farm prices which has been encouraged and speeded by reductions in the level of

price supports—it would be well for the President to give belated attention to his own pledge to the farmers to help them to achieve higher prices and higher incomes.

I call the attention of my colleagues to what Mr. Eisenhower promised the farmers 5 years ago. I ask unanimous consent to have printed at this point in the RECORD the promises made by General Eisenhower to the farmers.

There being no objection, the quotations from General Eisenhower's 1952 campaign speeches were ordered to be printed in the RECORD, as follows:

#### EISENHOWER'S PROMISES TO THE FARMERS

Following are the major specific promises to farmers made by President Eisenhower in his 1952 election campaign; quoted directly from the official text of his speech at the national plowing contest, Kasson, Minn., September 6, 1952:

"And here and now, without any 'ifs' or 'buts,' I say to you that I stand behind—and the Republican Party stands behind—the price-support laws now on the books. This includes the amendment to the basic Farm Act, passed by votes of both parties in Congress, to continue through 1954 the price supports on basic commodities at 90 percent of parity. These price supports are only fair to the farmer to underwrite the exceptional risk he is now taking. \* \* \*

"I firmly believe that agriculture is entitled to a fair, full share of the national income and it must be a policy of Government to help agriculture achieve this goal. \* \* \* And a fair share is not merely 90 percent of parity—but full parity.

"We must find sound methods of obtaining greater protection for our diversified farms. \* \* \* They yield the rich variety of meat, milk, eggs, fruits, and vegetables that support our nutritious national diet. As provided in the Republican platform, the nonperishable crops so important to the diversified farmer—crops such as oats, barley, rye, and soybeans—should be given the same protection as available to the major cash crops.

"The Democrats \* \* \* keep saying, 'There is no way of protecting perishables except through the Brannan plan.' But we can and will find a sound way to do the job without indulging in the moral bankruptcy of the Brannan plan.

"I give you this positive assurance: The Republican Party will use all the power it legitimately can use to see that American farmers obtain their full share of the income produced by a stable, prosperous country."

Mr. PROXMIRE. Mr. President, these were the solemn promises to American farmers made by the Republican candidate in 1952. As he debates with his conscience as to whether to sign or veto the resolution which will merely prevent Secretary Benson from making the farmers' situation even worse in 1958—after 5 years of steady worsening since the 1952 campaign—I earnestly hope that Mr. Eisenhower will recall these pledges, and that he will sincerely ask himself whether he should not, at this hour of desperate emergency for our farm families, honor the spirit at least of these promises by signing the resolution which would prevent further losses in price and income to farm people.

#### NATIONAL SYSTEM OF HIGHWAYS—AMENDMENT

Mr. CASE of South Dakota. Mr. President, I offer for printing as an

amendment to the pending highway bill the text of a bill I have previously introduced, entitled "To enable persons in rural areas adversely affected by the proposed location of a highway on the National System of Interstate and Defense Highways to register their protests over the proposed location."

The amendment is offered in response to suggestions made to me by the National Stockgrowers Association. That association advised me that the present law seemingly excludes them, since it refers only to towns and villages which will be bypassed by the Interstate Highway System or will be bisected by it.

The amendment, which is very simple, merely seeks to afford the people who live in the country the same opportunities to testify that are afforded those who live in towns to be heard on the locations of sections of the Interstate Highway System. It will enable large stockgrowers or farmers to have ample opportunity to testify relative to roads which are planned to go by or through their property.

I believe there will be little, if any, additional cost entailed for holding the hearings, inasmuch as persons living in rural areas can be invited to appear before meeting held in adjacent villages or towns, and there to present the matters which concern them.

#### CONTROL OF BILLBOARDS ON THE INTERSTATE HIGHWAY SYSTEM

Mr. NEUBERGER. Mr. President, on Saturday the distinguished chairman of the Committee on Public Works, the senior Senator from New Mexico [Mr. CHAVEZ], reported to the Senate the new Federal highway bill, S. 3414.

I wish to address myself in particular to the portion of the bill which pertains to the regulation of signboards along the Interstate Highway System.

Mr. President, if I am not mistaken, this will be the first time in the history of the United States that the United States Senate will have debated the entire issue of whether the Federal Government has an equity in protecting roadside scenery and grandeur along highways which qualify for very great Federal benefactions in the form of financial support.

For the information of Senators who may soon have to vote on this question, I should like to detail 10 brief, but important reasons why the billboard-control incentive provisions proposed by the able junior Senator from California [Mr. KUCHEL] and me, and adopted by the Committee on Public Works, should remain in the excellent, new Federal-aid highway bill which the committee has ordered reported to the Senate:

First. The new National System of Interstate Highways belongs to the public and the motorists who travel on it, and whose taxes pay for it, and not to any outdoor advertising companies.

Second. In our daily lives, there is all too little contact with America's natural setting and scenic grandeur; and when people do get out of the cities, the countryside should be visible to them, uninterrupted by blatant sales appeals.



Third. This bill does not propose any direct Federal action, but leaves the choice of action entirely to the individual State governments, and offers assistance to those which wish to act.

Fourth. The interstate highways are 90 percent Federally financed. Is it unreasonable to protect this vast public investment by a slight, additional offer of financial assistance to States which elect, under their own State laws, to safeguard roadside scenery along these new highways?

Fifth. The limited-access nature of these new, transcontinental routes has been accepted by Congress without controversy, although this has denied direct highway frontage to roadside businesses such as motels and restaurants. Should a special exception exist, to permit only one roadside business—the billboard business—to have the privilege of direct access to travelers on the interstate highways?

Sixth. Signboard and other roadside controls can be obtained easily and inexpensively now, as new rights-of-way are being acquired for the interstate highways. If we fail to safeguard the public interest now, we shall leave an impossible burden to those who would wish to do later what we left undone, after a billboard forest has sprung up along the new highway network.

Seventh. Experience with billboard-free routes and areas does not indicate any adverse effect on local establishments which cater to the traveling public or the tourist trade. This bill makes reasonable provisions with respect to informational signs to advise travelers of such facilities located off the highways.

Eighth. Roadside protection has enthusiastic support from millions of persons in all walks of life, with the exception only of those who have a direct financial stake in the potential signboards along the new highways. The billboard industry itself, which deliberately misrepresents this measure in the name of States' rights, consistently fights against regulatory measures at the State level. Mr. President, I repeat that the present bill would assist only States which wish to act.

Ninth. Outdoor signs are effectively regulated in such realms of outstanding scenic grandeur and attraction to tourists as Hawaii, Alaska, and Switzerland.

Tenth. The proposal in the present highway bill is wholly nonpartisan; it was drafted and urged in the committee by 1 Republican Senator and 1 Democratic Senator; at least 8 other Members of Congress of both parties have introduced similar proposed legislation; and such action has been urged by President Dwight D. Eisenhower, Adlai Stevenson, several governors, and men and women of both parties in all 48 States.

#### ANALYSIS OF SECTION 12

Mr. President, in these 10 brief paragraphs I have summarized the main reasons why the roadside-control section should remain in the highway bill. At this time I should like to explain in somewhat more detail what this proposal is and how it would meet some of the

questions which have been raised about it.

The proposal of the junior Senator from California [Mr. KUCHEL] and myself, as further amended in the Committee on Public Works, is contained in section 12 of Senate bill 3414, the overall highway bill reported by the committee. So that Senators may have before them the text of the proposed legislation in question, I ask unanimous consent that section 12 be printed in the RECORD at this point in my remarks.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

SEC. 12. The Federal-Aid Highway Act of 1956 (70 Stat. 374) is amended by renumbering section 122 as section 123 and inserting a new section 122, as follows:

"SEC. 122. Areas adjacent to the Interstate System.

"(a) National policy: To promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investments in the National System of Interstate and Defense Highways; it is hereby declared to be in the public interest to encourage and assist the States to control the use of and to improve areas adjacent to the Interstate System by controlling the erection and maintenance of outdoor advertising signs, displays, and devices adjacent to that system. It is hereby declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within 660 feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System should be regulated, consistent with national standards to be prepared and promulgated by the Secretary, which shall provide for:

"(1) Directional or other official signs or notices that are required or authorized by law.

"(2) Signs advertising the sale or lease of the property upon which they are located.

"(3) Signs not larger than 500 square inches advertising activities being conducted at a location within 12 miles of the point at which such signs are located.

"(4) Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

"(b) Agreements: The Secretary of Commerce is authorized to enter into agreements with State highway departments (including such supplementary agreements as may be necessary) to carry out the national policy set forth in subsection (a) of this section with respect to the Interstate System within the State. Any such agreement shall include provisions for regulation and control of the erection and maintenance of advertising signs, displays, and other advertising devices in conformity with the standards established in accordance with subsection (a) and may include, among other things, provisions for preservation of natural beauty, prevention of erosion, landscaping, reforestation, development of viewpoints for scenic attractions that are accessible to the public without charge, and the erection of markers, signs, or plaques, and development of areas in appreciation of site of historical significance. Any such agreement may, within the discretion of the Secretary of Commerce, consistent with the national policy, provide for excluding from application of the national standards segments of the Interstate System which traverse incorporated municipalities wherein the use of real property ad-

acent to the Interstate System is subject to municipal regulation or control, or which traverse other areas where the land use is clearly established by State law as industrial or commercial, or which are built on rights-of-way wholly acquired before July 1, 1956.

"(c) Federal share: Notwithstanding the provisions of section 2 of the Federal-Aid Highway Act of 1944 (58 Stat. 838), if an agreement pursuant to this section has been entered into with any State prior to July 1, 1961, the Federal share payable on account of any project on the Interstate System within that State provided for by funds authorized under the provisions of section 108 of this act, to which the national policy and the agreement apply, shall be increased by one-half of 1 percent of the total cost thereof, not including any additional cost that may be incurred in the carrying out of the agreement: *Provided*, That the increase in the Federal share which is payable hereunder shall be paid only from appropriations from moneys in the Treasury not otherwise appropriated, which such appropriations are hereby authorized.

"(d) Whenever any portion of the Interstate System is located upon or adjacent to any public lands or reservations of the United States, the Secretary of Commerce may make such arrangements and enter into such agreements with the agency having jurisdiction over such lands or reservations as may be necessary to carry out the national policy set forth in subsection (a) of this section, and any such agency is hereby authorized and directed to cooperate fully with the Secretary of Commerce in this connection.

"(e) Whenever a State shall acquire by purchase or condemnation the right to advertise or regulate advertising in an area adjacent to the right-of-way of a project on the Interstate System for the purpose of implementing this section, the cost of such acquisition shall be considered as a part of the cost of construction of such project and Federal funds may be used to pay the Federal pro rata share of such cost: *Provided*, That reimbursement to the State shall be made only with respect to that portion of such cost which does not exceed 5 percent of the cost of the right-of-way for such project."

Mr. NEUBERGER. Mr. President, section 12 of the bill adds a new section 122 to the Federal-Aid Highway Act of 1956, the act under which the new National System of Interstate Highways is to be built.

The section begins by declaring that it is in the public interest to encourage and assist the States to control and improve the areas adjacent to the Interstate system, particularly with respect to control of signboards. It states that outdoor advertising signs within 660 feet of the edge of the Interstate System rights-of-way "should be regulated," consistent with certain standards which I shall discuss in a moment.

Note, Mr. President, that there is here no suggestion of any direct Federal prohibition, control, or regulation of billboards or any other roadside structures; there is only a declaration that, in the public interest, there should be regulation and that therefore it would be in the public interest to assist States which wish to provide such regulation. The choice in the matter is left wholly to the States. I wish to emphasize that point very strongly.

The standards to be prepared and promulgated by the Secretary of Commerce—whose Department includes the



Bureau of Public Roads, which administers the Federal-Aid Highway Acts—will expressly recognize that, within this process of regulation under this act, provisions shall be made for certain classes of signs. Besides, first, the obvious and essential official signs to direct highway traffic, these include three other classes of signs which the committee thought should be provided for in fairness to landowners, and also to off-highway businesses catering specifically to travelers in the particular locality or area where such signs are erected. These are, second, signs advertising the sale or lease of the property on which they are located; third, signs, not larger than 500 square inches, advertising activities being conducted at a location within 12 miles of the point at which such signs are located; and, fourth, signs erected or maintained pursuant to authorization in State law, and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

Actually, Mr. President, I wish to say at this point that I think that as a result of a committee amendment which was adopted in the Senate Committee on Public Works, there is some unnecessary overlap between the third and fourth classes of permitted signs. In our separate views in the committee report, the junior Senator from California [Mr. KUCHEL] and I have pointed out that this particular amendment "will confront the States and the Secretary of Commerce with a difficult challenge of administration. We regret that this change will add to the burden of drafting regulations and standards to cover an additional class of signs which should otherwise have been provided for within the fourth class."

Mr. KUCHEL. Mr. President, will the Senator from Oregon yield to me?

The PRESIDING OFFICER (Mr. MORTON in the chair). Does the Senator from Oregon yield to the Senator from California?

Mr. NEUBERGER. I am very happy to yield to the cosponsor of the amendment, the distinguished junior Senator from California.

Mr. KUCHEL. First, Mr. President, I wish to say that I have been perfectly delighted to work on a nonpartisan basis with the able junior Senator from Oregon in fashioning what I feel sure is a perfectly reasonable, logical amendment to deal with the subject of giving to the States of the American Union an incentive to control outdoor advertising along the Interstate Highway System.

I regret that the text of our amendment was altered in one or two respects in the committee.

I wish to ask the able Senator from Oregon a question. When we drafted our amendment, we provided in the fourth exception as follows:

Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

Is it not true that by means of that language, the Senator from Oregon and

I, endeavored to indicate a congressional intent that the States have the right, under their own constitutions and their own State laws, to lay down with respect to those signs such regulations as the States themselves might find necessary in the public interest—that is to say, in the interest of the traveling public? Second, is it not true that was our specific intention in drafting subparagraph (4) of our supplemental views, which have been printed in connection with the committee's report on this bill?

Mr. NEUBERGER. First, Mr. President, I should like to reciprocate the very kind comments of the Senator from California regarding our working together in drafting this amendment. It is always a pleasure to work with the Senator from California, and it is a particularly gratifying pleasure when we are cooperating in a cause which both of us regard as so merited and worthy as this one.

If I am not mistaken, the Senator from California was formerly an official of his State, as I was formerly an official of my State.

Mr. KUCHEL. That is correct.

Mr. NEUBERGER. I understand that he was a member of the California Legislature during the time when I was a member of the Oregon State Legislature. So it is interesting to know that both of us have served sister States on the Pacific coast, in official capacities.

In our discussions of highway bill amendments which we drafted jointly, I recall very distinctly that we felt great latitude and flexibility should be allowed to the States.

We were aware that regulation of signboards had come under attack as an alleged invasion of States' rights; and I use the word "alleged" advisedly. Again I am going to ask the Senator to check me on this, but it was intended that point 4 in particular would lead legislatures and governors and highway commissions of every State to devise regulations which would provide great flexibility and great latitude, so that signs which would assist the traveling public could be specified in all those States.

Mr. KUCHEL. I agree with the Senator completely. Is it not true that by the use of the language which we incorporated in point 4 we intended to make available to each State which entered into such an agreement latitude for each State to determine whether it, the State government itself, would erect signs found to be necessary in the interest of the traveling public, or whether it would authorize private individuals to do that type of labor, under guidelines which the State government would lay down?

Mr. NEUBERGER. In reply to the Senator from California, I wish to reiterate what I said just a few moments before he and I began our discussion. I said, "The choice in the matter is left wholly to the States." It seems to me important that he and I emphasize this point very strongly. Without being provincial, I dare say the Senator from California and I have the privilege of helping represent in the Senate two of the most beautiful and scenic States in the Union.

Mr. KUCHEL. Indeed, we do.

Mr. NEUBERGER. We would not want the Federal Government to intrude upon the rights and prerogatives of the officials of the States of California and Oregon to decide just how the scenic grandeur of those two great Pacific seaboard States should be protected. What the Senator from California and I have done is submit to the committee, and now to the Senate, the modus operandi whereby each State government can cooperate with the Department of Commerce, through the Bureau of Public Roads, in regulating signboards along the highway system in a manner specified by the State, and provided only that each State government desires to do so. I do not think we can stress that matter frequently enough. No State has to engage in this billboard regulation whatsoever, if its governor or State legislature is unwilling to do so.

Mr. KUCHEL. The Senator is completely correct.

Mr. NEUBERGER. It could not be more of a voluntary arrangement. I dare say, without having knowledge of all of our Federal statutes, which knowledge I certainly lack, that this arrangement is more voluntary, in its purely cooperative arrangement between the States and the Federal Government, than 9 out of 10 arrangements whereby the Federal Government and the States work together in various programs which the Federal Government finances in whole or in part. Would not the Senator from California say that is a reasonably accurate statement?

Mr. KUCHEL. I do, and I think every intention in which we indulged was to give the States maximum latitude in applying a national policy, which, as the Senator has suggested, has been endorsed by outstanding citizens from every State of the Union, and certainly from both political parties.

Mr. NEUBERGER. I am glad the Senator from California brought out that particular point. I do not think there is any issue that has come before this session of Congress which is more strictly and wholly nonpartisan.

Mr. KUCHEL. I agree with the Senator.

Mr. NEUBERGER. Those who testified in behalf of the general policy which the Senator from California and I are supporting came from every avenue of life, from every possible stratum of society, and I think from every geographical region of our Nation. As I pointed out earlier, the idea of billboard regulation has been supported by President Eisenhower, and only 2 days ago I received a letter from the leader of the political party of which I am a member, the illustrious former Governor of Illinois, Adlai E. Stevenson, in which he took generally the same position. I think this in particular represents an effort of average people all over the United States. They may not be as vocal as what is known euphemistically as the billboard lobby, but I daresay 9 out of 10 of the American people who drive on the highways, and whose taxes pay for the highways, want to be able to look at the American countryside, whether it be in California, Oregon, or New Hamp-



shire, without encountering a picket of signboards along the highways which they have financed and paid for.

Mr. KUCHEL. I heartily agree with what the Senator has said. I thank him for developing the intention of those who drafted the amendment which we gladly offered in committee.

Mr. NEUBERGER. I thank the Senator. I believe I can safely say that if the Senator from California and I had not been able to get together successfully and harmoniously, on a nonpartisan basis, the provision before the Senate today would not have been adopted by the Senate Public Works Committee. I think the Senator from California deserves great credit for modifying, or perhaps altering to some degree, the position he took last year. I think it is always the highest caliber of statesmanship when a person is willing to take a fresh look at a question and modify his view. I hope it is, because I changed my views with respect to postal rates, after taking a fresh look and sitting in the postal rate subcommittee. So I salute him for the openmindedness with which the Senator from California encountered this whole problem, and for the leadership he has demonstrated.

Mr. KUCHEL. I thank the Senator from Oregon very much. I look forward to vigorously pressing the amendment which the committee adopted, as we enter the debate in the Senate.

Mr. NEUBERGER. It will be a great source of strength to have the Senator from California at my side, because he has technical knowledge in this respect, from a legal standpoint, which I lack. I want to say to him that as we get into the issue I shall look to him not only for assistance, but for leadership and guidance.

Mr. KUCHEL. I thank the Senator very much.

Mr. NEUBERGER. I thank the Senator from California.

In any case, the point is that the standards of regulation to be promulgated by the Secretary of Commerce under this bill must provide for certain types of signs, consistent with those standards, which are of real informative value to the highway traveler specifically in the general area where he is traveling. What the States may do further to restrict signs under their own laws, beyond this bill, is of course wholly their own affair. As I shall continue to point out, this bill does not limit State freedom of action. But if State law authorizes the kinds of signs mentioned in the third and fourth classes of subsection (a), the standards promulgated by the Secretary may only contain reasonable regulation of them, not total prohibition.

I might say at this point, Mr. President, that I have no idea what standards the Secretary may promulgate as to the nature and shape of these permissible signs, their frequency, their location, their appearance in the setting in which they are to be placed, and so forth. I know that the professional personnel of various State highway departments have had much experience along these lines which no doubt will enter into the pre-

paration of these standards. After all, the whole program is entirely dependent upon its acceptability for State action by a meaningful number of States. I only wish to emphasize, both to the proponents of effective controls and to those who are sincerely concerned about a possibly unjust impact of this bill, that we must proceed on the assumption that those charged with the administration of this program will act in a spirit of wanting it make it work. That is an essential assumption for any program, not only this program, and it is an absolute sine qua non for one like this that depends on the free and voluntary action of independent States.

#### AGREEMENTS WITH SEPARATE STATES

Subsection (b) of section 12 authorizes the agreements between the Secretary of Commerce and the highway departments of those States wishing to enter into such agreements, which will spell out the provisions for applying the policy standards of subsection (a) to the Interstate highways within each particular State.

Let me stress that, beyond having to meet the standards of billboard regulation, these agreements may also include provisions for affirmative action to improve the appearance of the roadsides. This may include planting of trees and shrubs, general landscaping, the construction of viewpoints where motorists may leave the main highway surface to enjoy the scenery, roadside rest and picnic areas, historical markers, and so forth. I believe it was Gov. Averell Harriman, of New York, who recently pointed out that in building these new limited-access interstate roads, largely on new rights-of-way, the Nation has a unique opportunity to develop many thousands of miles of parkways across our country—an opportunity, Mr. President, which will not be available to the American people again in this century. In my view, this goal of making the best possible use of that unique opportunity can, and should be, one of the most worthwhile aspects of the agreements contemplated under this section.

Mr. President, not all of the 41,000 miles of the Interstate System will cross open country or attractive populated areas. Much of it will be through areas which are already wholly industrial or commercial in character. Many miles will traverse incorporated cities with home rule and their own zoning codes and land-use regulations. Some of it will be on existing rights-of-way, incorporating stretches of highway which already approximated the construction standards for the Interstate System when the Federal-Aid Highway Act of 1956 was enacted. To show the fallacy of those who believe that we are adopting an unreasonable, unrealistic, purist approach to this question of roadside control, let me point out that section 12 (b) expressly recognizes that the agreements with the States may, within the discretion of the Secretary of Commerce, and consistent with the public policy of this bill, exclude any such segments of the Interstate System within a State.

Again, flexibility for reasonable administration has been the keynote of

drafting this provision, to which the junior Senator from California in particular has devoted much time and thought.

Mr. President, at this point I again want to emphasize the great contribution which the junior Senator from California has made to the drafting of an amendment which leaves extreme latitude to the States. The Senator emphasized to me the desirability of permitting zones of commercial and industrial areas contiguous to any municipality or incorporated town. After we discussed the matter thoroughly with our respective staffs, we included the provision in the amendment which is before the Senate. I stress that, because I wish to show that both the Senator from California [Mr. KUCHEL] and I have had in mind over and over again not only the authority and prerogatives of the States, but the authority and prerogatives of municipalities within those States, where industrial and commercial zones are located which might parallel the new interstate highways.

The powers of local government differ from State to State. Within any given State, some municipalities may wish to use their powers to join in bringing their segments of the interstate highways within the agreements, others may not. The discretion of the Secretary is surely adequate to prevent abuse of the possible exclusions. As I stated earlier, since the agreements are wholly voluntary, the whole proposal is drafted on the assumption that reasonable men are going to use their best efforts and judgment to make it work. On this assumption, I am completely confident that the plan of this bill can and will work easily and well, taking full account of local situations peculiar to each separate State.

#### INCREASED FEDERAL SHARE FOR INTERSTATE HIGHWAYS IN PARTICIPATING STATES

Mr. President, subsection (c) of section 12 provides that with respect to the projects on the Interstate Highway System to which the policy standards of this bill are made applicable by a State, under the kind of agreement I have just described, that State will be entitled to an extra one-half percent Federal share of the project cost, beyond the 90 percent now paid from Federal funds. Surely that is a modest enough incentive to offer to any State which, on its own initiative, acts to make and preserve its parts of the National System of Interstate Highways attractive for the travelers of the whole Nation. My original bill, S. 963, provided a bonus of three-fourths percent; that of the junior Senator from California [Mr. KUCHEL], 1 percent. The Committee on Public Works reduced this to one-half percent, partly because of the additional provisions of subsection (e). I regretted that this one-half percent incentive payment to States has been made payable from funds appropriated for the purpose, not from the special highway trust fund, because I thought it a legitimate and reasonable element of the total national investment in the Interstate System.

I wish to state here, since the junior Senator from California is present in



the Chamber, that both he and I felt the incentive payments should come from the trust fund rather than from separately appropriated funds, as a majority of the Committee on Public Works of the Senate finally voted before the bill was reported to the Senate.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. NEUBERGER. I am happy to yield.

Mr. KUCHEL. I certainly share the feelings of the Senator from Oregon on that point. Mr. President, we are embarked upon a multi-billion-dollar, 41,000-mile highway program. The Federal Government has set down the standards under which the high-speed limited-access freeway across the Nation will be built. Certainly as a part of the construction, since we are paying from the Federal Treasury 90 percent of the cost, the Senator from Oregon is completely correct in believing that this modest amount of money to be paid to the States as an incentive ought to come from the trust fund. I regret that that part of our amendment was changed.

Mr. NEUBERGER. I am glad the Senator from California and I are in agreement on this particular fact. I think he also would concur in the statement that this was one of the concessions which he and I were reluctant to accept, but which we finally went along with in order to get the basic principle and policy before the United States Senate for action on the floor.

Mr. KUCHEL. The Senator is correct. I joined with my colleague from Oregon, Mr. President, in accepting that by way of a concession, because in the last analysis when the Senate votes it will be on the basic question, Does the Senate of the United States believe that the American people should take an interest in protecting the scenery through which the 41,000-mile system is to be constructed?

Mr. NEUBERGER. Once the basic policy is written into Federal law, later Congresses can perfect and improve the law, as has been done with almost every act adopted since this country was founded.

Mr. KUCHEL. The Senator is correct.

Mr. NEUBERGER. However, Mr. President, the change which was made by the committee should at least silence those critics of the bill who would claim that this modest one-half of 1 percent increase in the Federal contribution to project costs in participating States would slow down construction of the National System of Interstate Highways. As the bill now stands, the availability of trust fund money for road construction would not be in any way affected by the one-half of 1 percent incentive provision. That one-half of 1 percent is authorized to be appropriated by the Congress and of course, I have no doubt whatever that it will be appropriated as States become entitled to it by their participation under this act.

I shall only mention, at this point, subsection (d) of section 12, which provides for application of the national policy to lands adjacent to the Interstate

System which are public lands or reservations of the United States itself.

Finally, subsection (e) offers the States an important tool to aid them to carry out the provisions of this act, if they should desire to do so. Very simply, this subsection permits the inclusion in a State's right-of-way acquisition costs—for which the State receives 90 percent Federal reimbursement—of up to 5 percent additional costs incurred in acquiring control over advertising rights along the segments of the new Interstate Highways within its borders that are to be covered in that State's agreement.

This provision, I submit, should silence those critics of this bill who have claimed that Congress will, in effect, force States to deprive landowners along the new highways of a valuable right and give nothing in return. Personally, Mr. President, I have always thought this to be an extremely specious argument. There are no valuable billboard rights, as such, in any land, apart from the highway that may cross it. The highway itself creates the opportunity and the value. The highway delivers to the land the captive audience of motorists which are the billboards' only targets. If there is no highway, the alleged valuable advertising rights will be about as valuable as a billboard on the moon—on the side that faces permanently away from the earth.

Rather than speak of a deprivation of valuable rights, Mr. President, let us frankly face the fact that the new Interstate Highway System would offer the outdoor advertising industry an immense bonanza, an absolutely unparalleled, historic gift at the cost of the Federal taxpayers that would overshadow Federal benefits to any industry since the land grants to the railroads. And I might add that the billboards do not exactly earn this benefaction by opening up our continent to travelers and tonnage, as the railroads did.

#### REIMBURSEMENT OF LANDOWNERS PERMITTED

Nevertheless, it is argued in opposition to this bill that an outright regulation of roadside signboards by the States, under their so-called police power, will deprive farmers and other landowners of a valuable asset—earned or not—which would otherwise result from the construction of the highway, and that Congress should not stimulate such action by any State. Let us be clear then that under this bill, under subsection (e) of section 12, Congress will not do so.

As in other respects, this bill leaves the individual States the utmost freedom of choice in this regard. A State or its subdivisions may use police powers to protect all or part of its interstate highways and qualify for the one-half percent additional Federal share of project costs under this bill. A State may equally qualify without using police power, by acquiring the right to control roadside signs and reimbursing the landowner. If it chooses the latter course, the costs will be recognized as a legitimate cost for 90 percent Federal reimbursement, up to a limit of 5 percent of the total cost of right-of-way acquisition for the project in question.

This bill expresses no preference in the manner. It holds neither a carrot nor a stick over the head of any State in making this particular choice of means. If ever there were a program that was tailored to letting States choose whether and how to carry out a public policy in their own way, and to assist them to do it, this is it, Mr. President.

#### NO SUBSTANTIAL COSTS INVOLVED

I might add just a comment about the possible cost involved in the acquisition of billboard control by the States under subsection (e), which I have just explained. A word of caution is in order, before various wild, hypothetical estimates are thrown into the debate by opponents of this bill concerning alleged diversion of highway construction funds into roadside protection measures by the States.

There are far too many unpredictable factors involved to permit any kind of an estimate except to indicate a ceiling beyond which costs would not go. Let me list a few. We cannot know which States will choose to act at all. We cannot know which of those that do act will use police powers, and which will wholly or in part pay to acquire the right to control roadside billboards. We cannot know the right-of-way acquisition costs for the highway segments to come under State roadside regulation, and to which the 5 percent permissible extra cost would apply.

Does subsection (e) therefore make an unlimited "grab bag" of the highway trust funds from which States might enrich landowners along the interstate highway rights-of-way? Certainly and definitely not.

The heavy right-of-way acquisition costs are in cities and other heavily populated, commercial, or industrial areas. These, as I have said, may be eliminated from the agreements with the States. Obviously, for example, it would not make sense for a State to purchase billboard-control rights out to 660 feet from both edges of a highway right-of-way that passes between the high, narrow walls of warehouses, or factories of an urban industrial area.

Out in the open country, on the other hand, let us assume that right-of-way acquisition constitutes, in a typical instance, 10 or 15 percent of the total project construction cost. I believe that in the testimony before our committee Mr. Bertram Tallamy, the Federal Highway Administrator, estimated something like 13 percent.

I have already explained that the additional cost of also acquiring signboard control rights on adjoining land should be very low, because these have actually no value until the highways are there to deliver the motorists, so to speak, into the arms of the billboard advertiser. A fair price would be determined under State law, not this act. But in any case, the bill places a limit of 5 percent on additional costs for which Federal reimbursement may be claimed. A 5-percent maximum on even 20 percent right-of-way acquisition costs means a maximum 1-percent increase in project costs that might be added to reimbursable



costs. Even if acquisition costs were to run as high as 40 percent in isolated instances, project costs could not grow more than 2 percent by use of subsection (e). Mr. President, these project costs fluctuate far more from month to month, with changes in the price levels of materials and so forth, than this tiny fraction which represents the maximum cost increase that might be involved under this bill.

CONSERVATION PRINCIPLES VERSUS BILLBOARD PROFITS

Mr. President, this completes my description of section 12 and how it proposes to aid States to control and protect the roadsides along the National System of Interstate Highways in the interest of and for the enjoyment of the travelers on these new highways. I would like now to address myself briefly to the overall policy question for which section 12 was drafted, and which the Congress must now decide.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. NEUBERGER. I am happy to yield.

Mr. COOPER. I would like to ask the Senator if any evidence was brought out at the hearing which would indicate that the inducements provided in the bill would be attractive to the States, and would encourage the States to carry out the national policy regarding roadside signs and billboards which the Senator has described.

Mr. NEUBERGER. To begin with, I wish to emphasize that there appeared before our committee, either in person or by resolution or in writing, literally thousands of citizens. Those people spoke for themselves, or they represented great organizations in every State, including the State of the Senator from Kentucky and my own State.

They represented the American Automobile Association, many conservation groups, the General Federation of Women's Clubs, and an almost unlimited number of conservation and outdoor organizations, such as the Audubon Society, the National Wildlife Federation, and so forth.

It seemed to me, sitting at the committee table and listening to those people, that if this amendment were adopted, those interested in scenic and roadside protection in every State could then go to the governors and legislatures in the various States—as is their right—and say, "The Federal Government has provided reasonable machinery. It has provided a framework for you to help in protecting the countryside and the scenery along the Interstate Highway System in our State. We urge you to take this incentive offered by the Federal Government and to cooperate with the Bureau of Public Roads in protecting our highways from the blight of signboards."

To my knowledge, no governor except Averell Harriman came before our committee and testified particularly in favor of the proposed legislation now before us; but all the people who came from the great groups said, "Give us this legislation, so that we can ask our States to cooperate with the Federal Government

to take this incentive, use this machinery, and to protect our roadsides."

Mr. COOPER. Then is it the Senator's idea that if the bill is passed—and I hope it will be passed with the amendment which the Senator from Oregon and the Senator from California are sponsoring—it should provide a helpful way for public opinion to be expressed, and to be recognized by the legislatures and authorities of the States, in carrying out the national policy enunciated in the proposed amendment?

Mr. NEUBERGER. If I am not mistaken—and the Senator from Kentucky is far more experienced in legislative matters than I am—practically all cooperative programs between the Federal Government and the States work in that way. The Federal Government provides matching funds to assist in programs for aid to dependent children, for aid to the blind, for aid in cleaning up rivers, sewage control systems, and so forth. The Federal Government does not say to any State, "You must take this money to assist your blind people," or "you must take this money to end pollution in your rivers." The Federal Government says, "These funds will be available if you cooperate in a certain way."

Actually, under the bill proposed by the Senator from California and myself, there probably would be less compulsion than there is under other programs, because action is left entirely up to the States. The point I wish to emphasize is this: It was apparent, after prolonged hearings which were held under the able chairmanship and leadership of the junior Senator from Tennessee [Mr. Gore], that there are in every State of the Union thousands of men and women who do not want billboards cluttering the interstate highways. They had gone to their State legislatures. In most of the State legislatures they had encountered the billboard lobby, which had seen to it that the mildest kind of State regulation usually was defeated. Then they came to the Federal Government and encountered the cry of "States rights" from the same people who had previously opposed State regulation of billboards.

I can speak from a background of some experience in this field. My wife and I, as members of the Oregon State Legislature, tried to bring about the enactment of billboard regulation laws in the State of Oregon, which the billboard lobby helped to defeat. We know that there are those who want to be able to say, "Uncle Sam, the United States Government, has provided an incentive. Please use it and keep our highway scenery protected."

Mr. COOPER. I believe that the junior Senator from Oregon and the junior Senator from California have made a valuable contribution to the national welfare in leading the fight for more than a year, to preserve the beauty of our highways.

When the bill is passed, as it undoubtedly will be, setting forth, a national policy with respect to the beauty of the countryside along our roads, it would indeed be a shame if the States did not cooperate to carry out the national poli-

cy. I believe the States will cooperate, and will welcome the opportunity to make the new highways more attractive to visitors.

I think the States will appreciate the value of preserving, both for travelers and people close to home, a true and natural picture of the local countryside and of the areas these roads will serve. For one of the glories of this country is the varied scene brought to view in driving along our national highways, which can always be attractive and instructive, and which ought to be protected. The Senator from Oregon and the Senator from California have performed a great service by their leadership in this field.

Mr. NEUBERGER. The Senator from Kentucky is one of the most thoughtful and influential Members of the Senate. I know that I speak also for the Senator from California when I say how much we value and appreciate his support.

I wish to concur especially in one point the Senator has made, namely, that it would be a genuine shame if this were not done. We are almost at the 11th hour when this can be done. As we stand herein the Senate today, engineers with transits and plumb lines are out across the face of this great land of ours, laying out rights-of-way for the Interstate Highway System. It will be the greatest highway network ever to be constructed in any nation on the earth. It will be worthy of the engineering genius and the constructive capacity of America.

Unless we provide machinery and methods very soon for the States to protect the scenery along the highways, there will spring up a billboard jungle which will acquire what is known as grandfather rights. Then it may be too late.

Therefore I very much value the counsel of the Senator from Kentucky in the points that he made. It would truly be a disaster if we did not allow the motorists, who are going to pay for these highways, to see the American countryside, rather than a picket fence of signboards.

Mr. COOPER. I might say that the only letters I received from my State opposing the provisions to protect scenic beauty along the roads, which the Senator from Oregon and the Senator from California have written into this bill, have come from those who are commercially interested in billboards.

Mr. NEUBERGER. I could not agree more with what the Senator has said. The billboard lobby wants to use our highways, paid for by the American public, as a conduit or funnel along which they can plaster their signboards. The people who will pay to make the signboards of value are the people who pay the fuel taxes and the automobile excise taxes, which go into the roadway trust fund. Without the highways, none of the billboards would be worth a continental dollar.

On earlier occasions in my efforts toward billboard control during three sessions of Congress, I have spelled out at greater length the true conservation aspects which are inherent in our giving a means of protection for the roadsides of the Nation's new cross-country travel



arteries. I cannot believe it is necessary to say more than a very few words about this today. I cannot believe that there can be any real question as to how the travelers themselves would prefer to see their highways—with unlimited billboards, or with effective billboard regulation, limited to the kinds of controlled signs of specific interest to travelers that under this bill may be permitted under conditions and in locations specified by the agreements between the States and the Secretary of Commerce. To anyone who has traveled both kinds of roads—for example, from Washington, D. C., to Baltimore by the old U. S. 1 and by the new Washington-Baltimore Parkway—there can be no question as to what the great traveling public would prefer. The question is only whether we, in the Congress, are going to help them to obtain what they would prefer, or whether instead we are going to help the billboard industry to obtain what they want out of the estimated \$40 billion public investment in the 41,000 miles of the new Interstate System.

For let there be no mistake about the fact that, uncontrolled, the roadsides along these magnificent new highways will be the greatest bananza the billboard industry has ever enjoyed at the cost of the American motorist and taxpayer. It is worthwhile to pause, to recall that the rise of signboard advertising in the open country has been inevitably and closely linked with the growth of our country's highway network itself. Both are, of course, the result of the development of our present automotive culture which mushroomed soon after the First World War. It was not long thereafter, also, that the States began to use gasoline taxes as the most important single source of the funds with which to build the tremendous web of paved roads which the millions of mass-produced new cars required. I believe my own State of Oregon was the first State to initiate the gas tax. Thus for decades the motorist has in large measure paid for America's roads. In a very direct way, they are his roads.

Certainly they do not belong to the billboard industry. But that industry has sprung up and mushroomed to its present giant size in step with the growth of automobile travel, taking advantage of the roads built for the motorist with his taxes to force its sales messages to his attention from the adjoining landscape.

I think the claims of outdoor advertising companies, that proponents of section 12 are threatening them with utter destruction and ruin, should be put in proper perspective. For example, *Changing Times*, the W. M. Kiplinger magazine of May 1957, reported "If you think you see more billboards than ever on the highways, you are right. Never have there been so many of the huge ad displays built and planned. Advertisers will spend over \$200 million on them this year—compared with a mere \$44,700,000 back in 1940." Keep in mind that this growth in billboard construction, from 1940 up to and including 1957, has occurred before any of the new interstate highways have been built. The 41,000

miles of these highways—and of course not all of them would even be controlled under this bill—constitute less than 3 percent of the approximately 1,500,000 miles of surfaced public roads and highways in our country. Today these other highways are also being built, extended, and improved at a tremendous rate, and have offered an opportunity for growth to the billboard industry, at public expense, that many other industries and businesses in our country might well envy. It is absurd to suggest that the public now owes to the outdoor advertising industry the additional opportunity of making billboard alleys of the new limited-access superhighways, for the sake of saving the industry from collapse.

Mr. President, no doubt Members of the Senate have in the past few days, since section 12 was accepted by the Committee on Public Works, received many messages of protest from persons who have a direct stake in the outdoor advertising industry in their own States. This is the question and suggestion to which the able Senator from Kentucky [Mr. COOPER] referred a few minutes ago. People in this business certainly have a constitutional right to "petition for the redress of grievances" as have any other citizens. But keep in mind that, as organized business groups which may be directly and financially affected by legislation, the outdoor advertisers themselves are in a far better position to bring their desires to our attention rapidly than is the great mass of the public, which has no such financial interest.

However, through such nonprofit, voluntary associations as exist, for example, in the conservation field, many people have made their wishes in this matter known to us. Let me list some of the organizations that are known to me to have endorsed billboard regulation and other measures of improvement for the new highways. Most directly interested, of course, have been two national organizations specifically concerned with roads and roadsides—the American Automobile Association, representing America's motorists organized in the separate State motor clubs, and the National Roadside Committee, representing leaders of the roadside councils and other interests organized at both the National and State levels. Other national organizations supporting congressional action for roadside control include the General Federation of Women's Clubs, the Garden Club of America, and also the National Council of State Garden Clubs, the National Park Association, the National Audubon Society, the Wilderness Society, the American Nature Association, the American Association of Nurserymen, and the American Planning and Civic Association.

From my own State of Oregon I have received endorsements for this proposal from organizations which may be representative of similar groups that may exist in other States—for example, the Oregon State Motor Association; the Oregon Roadside Council; the Oregon Federation of Garden Clubs; the Federation of Western Outdoor Clubs whose headquarters are in Eugene; the Oregon Federation of

Women's Clubs; the Oregon Society of Landscape Architects; the Mazamas and the Obsidians, both of them outdoor clubs; the Oregon Association of Nurserymen; and others. I might mention at this point that I have also received numerous messages from similar organizations in many other States, which I shall not list here, as I trust they have also communicated directly with their own Senators.

As another indication of the nationwide public interest in congressional action on the billboard control measure which now appears as section 12 of the highway bill, let me read a list of only a portion of the newspapers in this country which have editorially endorsed such a measure. These include such nationally known newspapers as the *New York Times*; the *St. Louis Post-Dispatch*; the *Milwaukee Journal*; *Baltimore Sun*; all three of Washington's newspapers—the *Star*, *Post* and *Times Herald*, and the *Daily News*; *Christian Science Monitor*; the *Denver Post*; and the *Oregonian*.

The list includes from the Eastern States, *New York World Telegram*; *Worcester, Mass., Telegram*; *Courier-Post*, Camden, N. J.; the *Evening News*, Harrisburg, Pa.; *Pittsburgh Post-Gazette*; the *Philadelphia Inquirer*; the *Patriot*, Harrisburg, Pa.; *Watertown, N. Y., Daily News*; *Daily News*, Greensboro, N. C.; *New York Post*.

It includes from the Midwest and West, the *St. Louis Globe*; *Capital Times*, Madison, Wis.; *Toledo Blade*; *St. Paul Press*; *Capital Times*, Rockford, Ill.; *Texarkana Gazette*; *Detroit News*; *Sheboygan, Wis., Press*; *Colorado Springs Free Press*; and the *Daily Star*, Tucson, Ariz.

In Oregon billboard control has been editorially endorsed by the *Portland Oregonian*, *Oregon Journal*, *Pendleton East-Oregonian*, *Astorian Daily Budget*, *Medford Mail Tribune*, *Eugene Register Guard*, the *Oregon Statesman*, *Salem*, and many others.

Mr. President, let me read from the *American Issue*, the national monthly publication of the National Temperance League for November 1957, commenting on the excellent editorials of the *Washington Post* and *Times Herald* supporting a billboard control measure.

Those who can join in with the *Washington Post* campaign to end the billboard disgrace should also remember that the biggest user of highway billboards is the liquor traffic. The beer, wine, and whisky people will not surrender gracefully to losing their roadside advertising space, especially when 4 out of every 10 billboards are theirs. The campaign to end the billboard disgrace is commendable. Let us hope that Congress will take some positive action to end it in the coming session.

I might point out that of the top 24 national users of outdoor advertising, each of which spent \$1 million a year or more on billboards in 1956, 9 were either distilleries or breweries.

Finally, Mr. President, I point out that this is a wholly nonpartisan issue, one which has the support of leaders of both parties. Bills similar to section 12 were introduced by 10 members of both Houses of Congress, representing both parties. President Dwight D. Eisenhower, I understand, favors con-



gressional action, and Secretary of Commerce Sinclair Weeks spoke for the administration in favor of such action before our committee.

I am particularly proud, personally, of a message from Gov. Adlai E. Stevenson, President Eisenhower's Democratic opponent in his 2 campaigns for the Presidency. Adlai Stevenson has just written me:

CHICAGO, March 19, 1958.

DEAR DICK: Lest there be any misunderstanding as to my position, I want to make it emphatically clear that I support wholeheartedly your billboard control amendment to the highway bill.

My reason for supporting this amendment is that I consider it to be not only in the public interest, but absolutely essential to preserving for American motorists their vast investment in the new Federal Interstate Highway System.

With best wishes, I am,  
Sincerely yours,

ADLAI.

I digress to call attention to the significance of the fact that the two pre-eminent leaders in American public life both favor signboard regulation as proposed in the amendment sponsored by the junior Senator from California and myself. Although we are not committing them to crossing every "i" and dotting every "t," as we are committed, nevertheless the general policy of billboard regulation is supported by Dwight D. Eisenhower, President of the United States, and by former Gov. Adlai E. Stevenson, who was Mr. Eisenhower's Democratic opponent in the two most recent national elections. I believe this circumstance should be of significance and interest to all Senators.

I might add, Mr. President, that Governor Stevenson's position is of a piece with his whole consistent record in favor of sound policies of conservation, of preserving natural values as an essential element of the humane life in the whirlpools of urban and industrial commercialization in which our daily lives are increasingly caught up.

Mr. President, I conclude my speech on that point. Industry opponents of the signboard control measures I have sponsored repeatedly counter with the claim that industry has a policy of not interfering with particularly beautiful views or spectacular scenery. They speak of the ordinary range lands, prairies, forests, and farmlands through which much of the cross-country highway system will pass as if, because they lack the distinction of special grandeur or unusualness, such roadside areas might as well be covered up by the well-built, neatly lettered, brightly colored billboard structures of which the industry boasts.

That misses the point. Not all of America is uniformly beautiful and spectacular and blessed with scenic grandeur of mountains and forests and waterfalls.

Not all of America, for example, has the extraordinary scenery which can be viewed along the California and Oregon seacoast, where United States Highway 101 clings like a lariat, but all of America has exceptional qualities of different distinctions—distinctions which, in my opinion, should not be, willy-nilly, plastered with signboards, particularly

along roads for which the motorists themselves have paid, and which they have a right to enjoy free of the billboard blight. There are wheatfields and handsome farms, and there are also poor, ramshackle farms and tenant shacks and even junk yards along the roads. But this is all our country, and when we see the roadsides, we may see our country as it exists. The point is that none of these roadside views is there specifically to force itself on our attention. None of it is there specifically to try to sell us anything. Day in and day out, every American is assailed by advertising, whether it be the hard sell or the soft sell. Would it be such a sacrifice to let him escape, even briefly, when he takes to the open road to travel across his country—the country which, fields and streams and mountains and farms and shacks and all, we have learned to describe as "America the Beautiful"?

I think the sellers of the Nation's goods can afford Americans this brief respite from salesmanship, with danger that the American economy will forever collapse. In this balancing of, on the one hand, the values of economic self-interest and, on the other, a noneconomic interest in values not measurable in money, let us for once vote to preserve the latter.

That is why I urge that section 12, sponsored jointly by the junior Senator from California [Mr. KUCHEL] and myself, be retained in the highway bill now before the Senate.

Mr. President, I ask unanimous consent to have printed in the RECORD, immediately following my remarks, a number of telegrams and letters which I have received from representative citizens in my own State of Oregon, urging congressional action to provide cooperative agreements with the States to control and regulate the signboards along the Interstate Highway System.

There being no objection, the telegrams and letters were ordered to be printed in the RECORD, as follows:

PORTLAND, OREG., March 21, 1958.

HON. RICHARD L. NEUBERGER,  
Senate Office Building,  
Washington, D. C.:

Please correct my telegram to read support billboard amendment.

BARBARA ELLIOTT DAVIES.

PORTLAND, OREG., March 22, 1958.

HON. RICHARD NEUBERGER,  
Washington, D. C.:

Strongly support your billboard amendment.

MCCALL OIL CO.

DALLAS, TEX., March 22, 1958.

Senator RICHARD L. NEUBERGER,  
Senate Office Building,  
Washington, D. C.:

Keep billboard amendment and oppose efforts to weaken it. The people are incensed over such use of our new highway system. Let's keep America beautiful now and forever. We do not want billboards.

Mrs. DEWITT RAY.

PORTLAND, OREG., March 22, 1958.

HON. RICHARD NEUBERGER,  
Washington, D. C.:

Congratulations on your conservation work. Keep your billboard amendment in highway bill.

Mrs. HAROLD B. GILL.

PORTLAND, OREG., March 22, 1958.

HON. RICHARD NEUBERGER,  
Washington, D. C.:  
Congratulations, your effort billboard amendment.

EDITH IRELAND.

PORTLAND, OREG., March 22, 1958.

HON. RICHARD NEUBERGER,  
Washington, D. C.:  
Appreciate your keeping billboard amendment A in highway bill.

Mrs. HERBERT A. TEMPLETON.

PORTLAND, OREG., March 22, 1958.

HON. RICHARD NEUBERGER,  
Washington, D. C.:  
Best of luck for your amendment to highway billboard bill. Important to keep highway free of all billboards. We feel very strongly on this issue and sincerely hope you will bend every effort.

MARION G. ANDERSON.

PORTLAND, OREG., March 22, 1958.

HON. RICHARD NEUBERGER,  
Washington, D. C.:  
Heartily support your stand on billboard amendment.

Mrs. THEODORE A. ADAMS.

OSWEGO, OREG., March 22, 1958.

HON. RICHARD NEUBERGER,  
Washington, D. C.:  
Congratulations of your efforts to keep billboard amendment in highway bill.

ANN and LAWRENCE SHAW.

PORTLAND, OREG., March 22, 1958.

HON. RICHARD NEUBERGER,  
Washington, D. C.:  
Congratulating your fine effort on billboard amendment.

NORMA S. KUHN.

PORTLAND, OREG., March 22, 1958.

HON. RICHARD NEUBERGER,  
Washington, D. C.:  
Oregon people want billboard legislation. Will welcome passage amendment. Congratulations.

Mrs. W. H. CROWELL.

PORTLAND, OREG., March 22, 1958.

HON. RICHARD NEUBERGER,  
Washington, D. C.:  
Hoping your efforts concerning billboard amendment are successful.

Mrs. A. E. BERTHA MCINTOSH.

PORTLAND, OREG., March 22, 1958.

HON. RICHARD NEUBERGER,  
Washington, D. C.:  
Everyone supports your efforts to keep billboard in highway bill.

Mrs. JOYLE DAHL.

PORTLAND, OREG., March 21, 1958.

HON. RICHARD L. NEUBERGER,  
Senate Office Building,  
Washington, D. C.:  
Strongly urge continue support keeping billboard amendment highway bill.

Mrs. DAN MARLARKEY, Jr.

PORTLAND, OREG., March 22, 1958.

Senator RICHARD NEUBERGER,  
Senate Office Building,  
Washington, D. C.:  
Strongly urge your continued support keeping billboard amendment in highway bill.

Mrs. HENRY F. CABELL.

THE FIRST NATIONAL BANK OF PORTLAND,  
Portland, Oreg., March 18, 1958.

The Honorable RICHARD L. NEUBERGER,  
The United States Senate,  
Washington, D. C.  
MY DEAR SENATOR: I have read with much interest the amendment proposed by Senator KUCHEL and you to section 122 of the



Federal-Aid Highway Act of 1956. I think you have done a good job in putting together the content of this amendment, and I hope you and your associate will succeed in having it grafted onto the main highway act.

Kind regards.

Yours truly,

E. B. MACNAUGHTON.

OREGON ROADSIDE COUNCIL,  
Portland, Oreg., March 20, 1958.

EDITOR, BETTER ROADS,

Chicago, Ill.

DEAR SIR: In your issue of October 1957, there is a letter signed by Frank Blake which carries misstatements which I think should be corrected. Mr. Blake is director of public relations of the Outdoor Advertising Association of America. He states, "We have not the slightest desire or intention of exploiting the open country, nor the scenic areas alongside the new Interstate Highway System, and we operate under a strict code of practices that would prevent such action on our part." What are the facts? Billboards put up by members of his association blight the open country and scenic areas alongside the new interstate system in many, many places over the country.

As an example of the error in the claim of the outdoor advertisers and their disregard of the wishes of the majority of people, I enclose a photograph of a section of the New Portland (Oreg.)-Salem Freeway, a part of the interstate system, new U. S. No. 5, with 4 billboards in sight. This highway traverses the open country of the lovely Willamette Valley with views of the snowcapped Cascade Range—Mt. Hood, Mt. Jefferson, etc. Yet the billboards shown in the picture were recently erected by members of the Outdoor Advertising Association of America.

I hope you can use this photo and, perhaps, this letter (in part) in your columns.

Very truly yours,

THORNTON T. MUNGER,  
Vice President.

Mr. KUCHEL. Mr. President, before the Senator yields the floor, will he yield for a brief comment?

Mr. NEUBERGER. I am happy to yield.

Mr. KUCHEL. I congratulate the able Senator from Oregon on a very clear expression of the intention for which the billboard amendment was drafted, and a very clear demonstration of what he believes—a belief in which I am pleased to share completely—can be accomplished if the amendment remains in the Senate bill and continues to be a part of the vehicle to which it is now attached, the Highway Act of 1958.

Mr. NEUBERGER. I particularly appreciate the generous comments of the Senator from California, because without his cooperation it is my feeling that we would not have this proposal in the Senate today. I thank him from the bottom of my heart.

Mr. President, I thank my colleagues for their indulgence, and I yield the floor.

#### AMENDMENT OF SOIL BANK ACT, RELATING TO COMPLIANCE WITH CORN ACREAGE ALLOTMENTS— CONFERENCE REPORT

Mr. HOLLAND. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 10843) to amend section 114 of the Soil Bank Act with

respect to compliance with corn acreage allotments. I ask unanimous consent for the immediate consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 10843) to amend section 114 of the Soil Bank Act with respect to compliance with corn acreage allotments having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That section 114 of the Soil Bank Act is amended by adding at the end thereof the following:

"Notwithstanding any other provision of this section—(1) no person shall be ineligible to receive payments or compensation under an acreage reserve contract for 1958 by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if the county in which such farm is located is included in the commercial corn-producing area for the first time in 1958; (2) no person shall be ineligible to receive payments or compensation under an acreage reserve contract for any year subsequent to 1958 or a conservation reserve contract by reason of the fact that the corn acreage on the farm exceeds the farm acreage allotment for corn if such contract was entered into prior to January 1 of the first year for which the county is included in the commercial corn-producing area: *Provided*, That the foregoing provision of this sentence shall apply only to a farm for which an 'old farm' corn allotment is established for such first year. For purposes of this provision, a contract which has been terminated by the producer under the program regulations by reason of the fact that the county in which the farm is located was included in the commercial corn-producing area for the first time in 1958, and which is reinstated, shall be deemed to have been entered into as of the original date of execution of such contract."

ALLEN J. ELLENDER,  
OLIN D. JOHNSTON,  
SPESSARD L. HOLLAND,  
GEORGE D. AIKEN,  
MILTON R. YOUNG,

Managers on the Part of the Senate.

HAROLD D. COOLEY,  
W. R. POAGE,  
E. C. GATHINGS,  
WILLIAM S. HILL,

Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HOLLAND. Mr. President, I want it distinctly understood that the Senate amendment does not prevail in its entirety, but that the two things which the Senate set out to do are accomplished under the conference substitute.

The first was to make certain that the persons in the 38 counties of the Nation which have become this year commercial corn counties for the first time, and who had last year or the year before

signed conservation reserve agreements, were not penalized because their counties had come into the classification of commercial corn counties, and thereby forced to accept corn allotments or forgo their Soil Bank payments which neither they nor the Government had in mind at the time the conservation reserve agreements were entered into. The programs to that effect were completely approved by the Department of Agriculture.

The second thing which was sought to be accomplished was to give similar protection to those who had signed acreage reserve agreements under the Soil Bank prior to January 1, 1958, which affected their winter-wheat plantings last fall. They were entitled equally to the protection which I have just stated. Those two objectives are carried out by the substitute.

The third objective which is added in the substitute is one with which the Senate conferees were not in full accord, but which, apparently, had to be granted in order to get a bill. That was the inclusion of an arrangement making the same provision apply to acreage reserve contracts for this year—1958—alone, whether they were signed since the beginning of the year or not.

I ask unanimous consent to have printed at this point in the RECORD a short statement I have prepared on the subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### STATEMENT BY SENATOR HOLLAND—DIFFERENCES BETWEEN THE SENATE AMENDMENT TO H. R. 10843 AND THE CONFERENCE SUBSTITUTE THEREFOR

The conference substitute differs from the Senate amendment to H. R. 10843 in that it extends its provisions to all 1958 acreage reserve contracts in the 38 counties first included in 1958 in the commercial corn-producing area. As related to acreage reserve contracts the Senate amendment covered only those 1958 contracts executed prior to January 1, 1958, which would have meant that only winter wheat acreage reserve contracts entered into last fall would have been covered.

The House bill differed from the Senate amendment in two respects in the case of acreage reserve contracts. The House bill covered all 1958 acreage reserve contracts in the 38 new counties, but did not apply to acreage reserve contracts for any subsequent year. The Senate amendment applied only to acreage reserve contracts executed prior to January 1, and would be applicable to 1959 acreage reserve contracts if there should be an acreage reserve program for 1959.

The conference substitute adopts the House provision with respect to covering all 1958 acreage reserve contracts and the Senate provision with respect to covering 1959 acreage reserve contracts.

Both the House bill and the Senate amendment provided exemption from the requirement of cross-compliance with corn acreage allotments for all conservation reserve contracts entered into prior to January 1 of the first year in which the county was included in the commercial corn area. This exemption is a permanent one and is retained in the conference substitute.

Mr. HOLLAND. Mr. President, the conference report was unanimously approved and signed by the Senate conferees, and was approved and signed by 4 of the 5 House conferees.



I move that the conference report be adopted.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

#### FEDERAL-AID HIGHWAY ACT OF 1958

The Senate resumed the consideration of the bill (S. 3414) to amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes.

Mr. HOBLITZELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, across the several States of the Nation there are hundreds of thousands of miles, perhaps literally millions of miles, of city streets, county roads, State highways, and other thoroughfares of various types, built by all levels of government, from the smallest type of local, public agency to the Government of the United States.

For many years it has been the policy of the Federal Government to provide to the several States an incentive to construct certain types of thoroughfares within the jurisdiction of each State. The participation by the Federal Government has been financial, although in addition the Congress has laid down for the Federal Bureau of Public Roads certain standards and guidelines by which the Bureau should determine the availability of Federal moneys to any participating State.

Two years ago the Congress of the United States debated the question of whether the Federal Government should participate—and, if so, to what extent—in the construction of a great Interstate Highway System, not only important to the needs of the civilian economy of the country, but also important to the defense of the American people. In the debate in the Senate and in the debate in the House of Representatives, the tragic toll of dead and maimed, each year, as a result of highway accidents was iterated and reiterated. It was also in the interest of safety of the American traveling public that the Congress debated the problem involved in the possible construction of a great, new system of high-speed arterial highways, all of limited access, all built to specifications of the highest standards, which in the end would ribbon the United States from north to south and from east to west.

Ultimately the Congress passed the interstate and defense highway law under which the Federal Treasury would underwrite 90 percent of the cost of construction. The bill also provided that the Federal Bureau of Public Roads

would carefully sit in judgment as to the high standards which each State must follow in order to obtain nine-tenths of the cost of constructing the system within its borders.

In the intervening months, construction across the country has progressed; but for many reasons it has not progressed with the rapidity which was envisioned at the time when the bill was passed.

Thus, as the Senate deliberates this week on proposed legislation to get the 13-year Interstate Highway System construction program back on the track, the Senate has also—two years after the original law was passed—still to face up to a fundamental problem, as the pending bill faces up to it now. That is simply whether the American people have the right to look forward to a great new highway system, unspoiled by indiscriminate outdoor advertising. I say the American people have that right and that Congress has a duty to perform in this field.

I wish to say in all frankness that last August, I believe it was, the able junior Senator from Oregon [Mr. NEUBERGER] submitted an amendment to give the States of the Union an incentive to control outdoor advertising along the Interstate System. I felt that that matter involved some problems which needed to be resolved before such a proposal would justify bipartisan majority support in the Congress.

One such problem dealt with a constitutional question. I can illustrate it best, Mr. President, by indicating it in the following way: A State such as my own—California—has, by its own State constitutional provisions, delegated police power to incorporated communities within the borders of the State, to the extent that such incorporated communities, in determining the use to which private property may under their jurisdiction be put, act entirely apart from any legislation which the State legislature, on its own part, may pass for the rest of the area within the borders of the State.

As a Californian, I wanted my State to be able to avail itself of any incentive legislation adopted by Congress under which a State could reasonably exercise its zoning authority, and, thus, I wanted such legislation to recognize the problem of "home rule" State constitutions, and to permit States to enter into agreements with the Federal Government to control outdoor advertising on the Interstate System without penalizing them for their home rule constitutional provisions.

In the intervening months between August and January, my staff and I studied, from a legal standpoint, that problem, and some other problems, as a result of which I was able, earlier this year, to introduce my own conception of an incentive bill by which States would be encouraged to adopt their zoning legislation, in reasonable manner, in accordance with the national policy.

I said earlier today I was perfectly delighted to work with the distinguished junior Senator from Oregon in the last several weeks, and to fashion what I am pleased to say in my judgment is an hon-

est, realistic, and workable piece of legislation in this field. We jointly offered it to the Public Works Committee of the Senate, and, with 1 or 2 changes, by a majority vote the committee approved that amendment.

Earlier today the Senator from Oregon lucidly indicated what the proposal does. For the purpose of endeavoring to assist my fellow Senators who will avail themselves of the RECORD during the week, to help them determine how they will cast their vote on this problem, I wish to add just a few more words of my own as to the scope of this committee-approved amendment.

First of all, the billboard section of the highway bill before the Senate lays down a national policy.

Mr. President, I ask unanimous consent that the part of S. 3414 appearing on page 20, and continuing down to line 25 on page 21, entitled "National Policy," be set forth in the RECORD at this portion of my comments.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

#### SEC. 122. Areas adjacent to the Interstate System.

"(a) National policy: To promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investment in the National System of Interstate and Defense Highways, it is hereby declared to be in the public interest to encourage and assist the States to control the use of and to improve areas adjacent to the Interstate System by controlling the erection and maintenance of outdoor advertising signs, displays, and devices adjacent to that system. It is hereby declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within 660 feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System should be regulated, consistent with national standards to be prepared and promulgated by the Secretary, which shall provide for:

(1) Directional or other official signs or notices that are required or authorized by law.

(2) Signs advertising the sale or lease of the property upon which they are located.

(3) Signs not larger than 500 square inches advertising activities being conducted at a location within 12 miles of the point at which such signs are located.

(4) Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

Mr. KUCHEL. Mr. President, Senators may read that national policy and I hope, like the authors, agree with it in its goal, and, generally in the manner of reaching it.

With respect to that part of the national policy which appears after subparagraph (3), the committee saw fit specifically to provide that signs of not more than 500 square inches, advertising activities being conducted at a location within 12 miles of the point at which such signs are located, would constitute an exception to the national policy.

Earlier the Senator from Oregon and I both discussed that amendment, which



we believe to be unfortunate, because, in our view, it would be the State legislatures, acting in accordance with their own constitutional authority, which would determine how and in what manner signs might appear along the Interstate System, in a fashion best designed to assist the traveling public, and in accordance with the national policy. At any rate, aside from that amendment, as I say, it seems to me this basic policy should appeal to Senators on both sides of the aisle.

Mr. President, the billboard regulation amendment, aside from recognizing exceptions which are noted in this national policy, recognizes that there are other exceptions which must exist, and which must exist reasonably.

By reason of the problem created by home-rule communities, the bill recognizes that under any agreements between the Federal Government and a State, incorporated communities which exercise home-rule authority shall be excluded.

Besides the constitutional reasons involved, Mr. President, I think there are some very practical reasons involved in recognizing that type of exception. I think, Mr. President, you would agree that in the average incorporated city in American through which an interstate high-speed road may run, for 2 or 10 or 15 miles, there is not considerable beauty to be preserved. I need not dwell upon that point, Mr. President, except to say the problem with respect to incorporated cities does not represent any overriding consideration in the legislation before the Senate; but, in the last analysis, it does recognize a constitutional question, and to that extent I think we have obviated a serious problem by our provision for excluding them.

It also recognizes, Mr. President, and this is most important to Senators who will be sitting in judgment on the problem, that the Interstate Highway System will inevitably pass through areas in the Nation which are commercial in character, which are industrial in character, or which are business in character. It recognizes that a State legislature, in adopting legislation under the incentives offered by the bill before the Senate, may recognize the character of such areas, and having recognized them, provide that the policy shall not apply in those areas.

It does something else. It provides that where any part of the Interstate Highway System is in being prior to the effective date of the present law—which is the year 1956—where no new rights-of-way are required to be purchased, the policy shall not apply. Thus we are not faced with the problem of retroactive application of zoning laws.

This is a forward-looking bill. This is a bill which, if enacted, will give the States of the American Union all across the country an opportunity to pass appropriate legislation to preserve the scenic beauty of the Nation through which the great bulk of the 41,000 miles of Interstate Highway System is yet to be constructed—indeed, yet to result in the acquisition of rights-of-way by all the 48 States.

Mr. President, I have received a number of communications from my State and elsewhere endorsing the provisions of the legislation which the able junior Senator from Oregon [Mr. NEUBERGER] and I have jointly sponsored. I ask unanimous consent that a number of such communications be printed at this point in my remarks.

There being no objection, the letters and telegrams were ordered to be printed in the RECORD, as follows:

NATIONAL COUNCIL OF  
STATE GARDEN CLUBS, INC.,  
Alexandria, La., March 20, 1958.

HON. THOMAS H. KUCHEL,  
United States Senate,  
Washington, D. C.

DEAR SENATOR KUCHEL: We understand that March 25 is an important day for advocates of billboard-control legislation.

May I remind you that 400,000 members of garden clubs throughout the Nation are vitally concerned over the protection of the new Interstate Highway System roadsides from billboard advertising, and we bespeak your support.

Very sincerely,  
RUBY HARRIS  
Mrs. Homer H. Harris,  
Chairman.

THE GARDEN CLUB OF HONOLULU,  
March 31, 1958.

HON. THOMAS H. KUCHEL,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR KUCHEL: We of the Garden Club of Honolulu are interested in the billboard legislation which is now pending. We believe that it would be a tragic mistake to permit our new highway to be cluttered up with billboards such as unfortunately already exist in many parts of the mainland of the United States.

America is a beautiful land and we are but trustees for future generations. Part of our obligation is to pass on our land to our children with all its strength and beauty. We believe that the overwhelming majority of the people of America want to see the new highway free from the unsightliness of advertising billboards. The legislation pending before your committee would go far to accomplish that end.

Although we in Hawaii have no voice in the Congress of the United States, we are Americans, many of us with our roots in the mainland of the United States and hence have an interest in the preservation of our land unimpaired with all its scenic beauty. I hope you will not feel it presumptuous for us to express our views. I am requested by the Garden Club of America to state our position.

The Members of Congress who have been in Hawaii, I am sure, were impressed by the absence of billboards along our highways. What we have done in Hawaii can be done in the new highway about to be constructed. We hope that you will act favorably on the pending legislation.

Respectfully,  
DOROTHY ANTHONY  
Mrs. J. Garner Anthony,  
President, Garden Club of America.

SANTA BARBARA, CALIF., March 21, 1958.  
Re billboards, interstate highways (absolutely no billboards).  
Senator THOMAS H. KUCHEL,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR KUCHEL: As the time approaches for a final decision on the above matter it behooves all of us to do what we can to resolve this issue, with its widespread ramifications for years to come, in the best way for the most.

Certainly this means irrevocably no billboards on the Interstate Highway System.

We, your constituents, look to you to aid in bringing order out of the present chaos of ambiguous legislation being instituted by special selfish interests in the name of politics.

Great strength to you in your task for us.

Very truly yours,  
ELIZABETH T. MCMENEMLY,  
(Mrs. Logan T.).

SAN FRANCISCO, CALIF., March 21, 1958.  
The Honorable THOMAS H. KUCHEL,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR KUCHEL: May I urge you to use your influence and vote against granting any permission to the advertising industry to erect billboards anywhere along the proposed new Federal highways. Both considerations of traffic safety and of elementary esthetics would seem to make such a stand highly desirable.

Sincerely yours,  
RALPH A. BING.

SUNNYVALE STANDARD,  
Sunnyvale, Calif., March 20, 1958.  
Senator THOMAS H. KUCHEL,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR KUCHEL: Enclosed is a copy of the editorial page which ran earlier this week in the Mountain View Register-Leader and the Sunnyvale Standard. I thought you would be interested in this support of a measure to control billboards along the new Federal system of superhighways.

I hope the Congress will institute these controls, and Governor Harriman's article in the recent Reporter well outlines the advantages for the American people in such legislation.

Very sincerely,  
JOSEPH C. HOUGHTELING,  
Publisher.

MONTEREY PENINSULA HERALD,  
Monterey, Calif., March 19, 1958.  
Senator THOMAS H. KUCHEL,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR KUCHEL: The Advertising Federation of America has sent me a long telegram signed by Robert M. Feemster, chairman of the board, asking my opposition to the antibillboard section of the Gore public roads bill. This is on the grounds "that an attack on the rights of one legal medium of advertising soon can be translated into attacks on all other mediums."

This is sheer nonsense. I am heartily in favor of the antibillboard section and only wish that it were more drastic. You and I have witnessed in California a deterioration of the appearance of our civilization due to failure to control the exploitation of our highways by billboard interests. In my county the billboard interests have fought one zoning effort after another, but they've always been licked for the past 25 years.

We hope that Congress will stand by and act to prevent wholesale piracy by these predators upon the new great highways built by the taxpayers of the county, from which the people have the right to enjoy the unmarred appearance of their fair land.

Best wishes.  
Yours sincerely,  
ALLEN GRIFFIN.

OAKLAND, CALIF., March 24, 1958.  
Hon. THOMAS H. KUCHEL,  
Senate Office Building,  
Washington, D. C.:  
Heartily favor keeping billboard amendment in highway bill.  
Mr. and Mrs. HERBERT E. HALL.



BERKELEY, CALIF., March 23, 1958.  
 Senator THOMAS KUCHEL,  
 Senate Office Building,  
 Washington, D. C.:

Don't let America the beautiful become America the billboard. Heartily support Kuchel bill to control billboard advertising on national highways.

HELEN LYON HAWKINS,  
 QUAL HAWKINS.

SANK MATEO, CALIF., March 23, 1958.  
 Senator THOMAS KUCHEL,  
 Senate Office Building,  
 Washington, D. C.:

Strongly urge you vote "Yes" provision banning billboards Federal highway.  
 BRAYTON WILBUR.

SANTA BARBARA, CALIF., March 23, 1958.  
 Senator THOMAS KUCHEL,  
 Senate Office Building,  
 Washington, D. C.:

We are unalterably opposed to any advertising along Federal highways and hope you will make every effort to see that this is done and oppose any effort to drop billboard amendment to the highway bill or to further weaken it.

Mrs. DOROTHY E. WARDEN,  
 President, Santa Barbara and Monticello Garden Club.

MONTECITO, CALIF., March 22, 1958.  
 Senator THOMAS KUCHEL,  
 Senate Office Building,  
 Washington, D. C.:

Please vote to keep billboard amendment in highway bill.

Mrs. HAROLD (FRANCES) SHEETS.

BURLINGAME, CALIF., March 22, 1958.  
 Senator THOMAS KUCHEL,  
 Senate Office Building,  
 Washington, D. C.:

Strongly urge retention billboard amendment in highway bill and oppose further weakening of bill.

ONE HUNDRED MEMBERS OF HILLSBOROUGH GARDEN CLUB CALIFORNIA.

CARPENTERIA, CALIF., March 22, 1958.  
 Senator THOMAS KUCHEL,  
 Senate Office Building,  
 Washington, D. C.:

May I urge you to do everything you can to keep amendment in highway billboard bill and to oppose any effort to weaken it further.

Mrs. WALTER W. CLEM.

SANTA BARBARA, CALIF., March 23, 1958.  
 Senator THOMAS KUCHEL,  
 Senate Office Building,  
 Washington, D. C.:

Strongly urge you to support billboard clause in highway bill. Hope so much no amendments will be added to weaken it.

Mrs. FRANCIS E. LLOYD.

SANTA BARBARA, CALIF., March 22, 1958.  
 Senator THOMAS KUCHEL,  
 Senate Office Building,  
 Washington, D. C.:

To preserve the natural beauty of our State we ask you to vote for the billboard amendment in the highway bill soon to be voted upon we feel you have the same affection for the State that we have.

MARY and WILLIAM C. McDUFFIE.

MONTECITO CALIF., March 22, 1958.  
 Senator THOMAS H. KUCHEL,  
 Senate Office Building,  
 Washington, D. C.:

Do not permit the Highway Interstate billboard legislation to be further weakened.  
 LOGAN T. McMENEMY.

MONTECITO, CALIF., March 22, 1958.  
 Senator THOMAS H. KUCHEL,  
 Senate Office Building,  
 Washington, D. C.:

Urge you to oppose any effort to further weaken billboard interstate legislation.  
 ELIZABETH T. McMENEMY.

GOLETA, CALIF., March 22, 1958.  
 Senator THOMAS KUCHEL,  
 Senate Office Building,  
 Washington, D. C.:

Please don't weaken highway bill and do keep billboard amendment.

Mrs. SELLAR BULLARD.

The PRESIDING OFFICER. Does the Senator from California yield the floor?

Mr. KUCHEL. Does the Senator from Minnesota desire to speak?

Mr. HUMPHREY. I wish to present a few items for the RECORD.

Mr. KUCHEL. Mr. President, I yield the floor.

#### RETENTION OF MILITARY LEGAL PERSONNEL

Mr. HUMPHREY. Mr. President, in recent days and weeks we have been hearing a good deal about the critical problem facing the Armed Forces in connection with the retention of trained personnel. As one who subscribes to the objectives and most of the recommendations of the so-called Cordiner report, I am particularly hopeful that the Congress in the present session will embark on imaginative, new legislative steps to help assure that our Armed Forces may recruit and retain high-caliber personnel at all levels.

In our current emphasis upon retention of technical and scientific personnel, primary and essential though that may be, we must not lose sight of all of the other contributing factors which make for an effective military organization. Earlier Congresses have recognized a special need for professional manpower in the field of medicine and dentistry and have recognized it in a special way—authorizing what in effect is incentive pay for doctors and dentists in the Armed Forces. Such action by prior Congresses has successfully borne fruit in the availability and retention of medical and dental personnel.

Today the Armed Forces face a crisis in the field of retention of military lawyers.

In recent months this matter has been forcefully brought to my attention by letters from constituents who are interested in or serving in legal positions in the military. Following the introduction of S. 1165 by the distinguished junior Senator from South Carolina [Mr. THURMOND], my office has received a good many letters endorsing the principles of the bill. I have selected five of these letters at random, and I ask unanimous consent that they, together with my answer to them, be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

#### EXHIBIT A

BLACKER & BLACKER,  
 ATTORNEYS AT LAW,  
 Minneapolis, Minn., March 14, 1957.  
 Hon. HUBERT H. HUMPHREY,  
 Senate Office Building,  
 Washington, D. C.

DEAR SENATOR HUMPHREY: I was gratified to learn at our periodic United States Air Force Reserve training meeting, made up of 20 Reserve officers, that Senator THURMOND has introduced S. 1165.

As I understand it, the purpose of said bill is to attempt in a measure to equalize pay and incentives for lawyers on duty with the Air Force similar to the provisions of law now in effect for the benefit of doctors and dentists who are on duty. Since there is a shortage of legal personnel in the Air Force and there seems to be difficulty in inducing the younger legal officers to stay on after they finish their initial tour, I think the bill will be of great benefit, and urge your support of the same.

All 20 members of our flight who were in attendance at the above meeting were in agreement that it would be in the best interests of service if Senator THURMOND's bill was passed by Congress. In my own experience, while on active duty for short periods, I have had occasion to discuss the reasons why some of the young legal officers looked forward to the day that they had finished their tour of duty. The reason usually given for their desire to leave the service was based upon the fact that they were not being treated the same as the medical profession and that they felt they could do better in civilian life. These young officers on duty, as well as I, and other members of our Reserve training flight, see no reason why there should be a distinction made between the two professions. The amount of professional training initially is about the same, and the reduced opportunity for earning more in civilian life falls equally hard on both professions.

I am sure that all members of my Reserve training flight join with me in urging your support of S. 1165 as requested above.

Very sincerely yours,

HENRY S. BLACKER.

MARCH 20, 1957.

Mr. HENRY S. BLACKER,  
 Attorney at Law,  
 Minneapolis, Minn.

DEAR MR. BLACKER: Thank you very much for your letter of March 14 concerning S. 1165.

I know very well of the strong feeling of Air Force lawyers that they have been discriminated against in the past when their salaries are compared with those of other professional officers in the Air Force.

I am not on the committee which is considering this bill, but I am bringing your letter to their attention and assure you that I shall follow developments closely. You can expect me to support this legislation if it is recommended by the committee.

Best wishes.

Sincerely yours,

HUBERT H. HUMPHREY.

#### EXHIBIT B

ST. PAUL, MINN., May 2, 1957.  
 Hon. HUBERT H. HUMPHREY,  
 Senate Office Building,  
 Washington, D. C.

MY DEAR SENATOR: My son, Lt. Col. John F. Bell of Anchorage, Alaska, is interested in S. 1165, a bill to increase the pay of judge advocates in the Regular Army and place them on the same level as doctors in the Army Medical Service. I have been informed that this bill has the support of the American Bar Association.







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued March 26, 1958  
For actions of March 25, 1958  
85th-2d, No. 48

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HIGHLIGHTS: See page 9.

## SENATE

1. FARM PROGRAM. Sens. Ellender and Kerr urged the President to sign S. J. Res. 162, the measure to freeze acreage allotments and price supports at 1957 levels. Sen. Ellender contended that newspaper statements that the measure would freeze prices were not true, instead the measure "merely tells the Secretary of Agriculture that he shall not further depress farm prices below the prices that were paid farmers in 1957, which means that the farm prices on all basic commodities can flex upward to 90 percent from the prices paid last year." Sen. Kerr stated that "there is no segment of our economy with reference to which the need is greater or with reference to which remedial action will be more effective in overcoming the recession than the segment of agriculture." pp. 4653-54, 4657-58
2. DURUM WHEAT. The Agriculture and Forestry Committee reported with amendment S. 3120, to modify the acreage-allotments and marketing-quotas requirements regarding durum wheat in the Tule Lake area, Modoc and Siskiyou Counties, Calif. (S. Rept. 1418). p. 4608

3. ROADS. Continued debate on S. 3414, authorizing appropriations for the construction of roads, including forest highways and forest roads and trails. Agreed to a unanimous consent agreement limiting debate to "four hours on the so-called billboard amendment, and 3 hours on the utility amendment," 1 hour on any other amendment, and 4 hours on the question of final passage. Pending is the amendment by Sen. Kerr to strike out sec. 12 of the bill to regulate billboards along any portion of the interstate system. pp. 4629-52, 4662-74, 4682-83

Following are excerpts from the committee report on the bill:

"The committee believes that an increase in forest-highway funds is warranted and justified to improve and maintain these highways to carry the present traffic loads, and to bring them to a condition comparable to the adjoining and connecting roads that are located on lands that are on the local tax rolls. An increase in forest-highway funds from \$30 million to \$36 million for fiscal years 1960 and 1961 is recommended.

"The \$30 million authorized for forest highways for fiscal year 1959 was apportioned to the States on November 6, 1957, in accordance with a revised apportionment formula resulting from recent valuation studies by the Forest Service which showed that the value of national forest land had increased approximately 340 percent over the value upon which the apportionment for fiscal year 1958 was based. Under existing law, forest-highway funds are apportioned for expenditure in the several States according to the area and value of the land owned by the Government within the national forests. The law does not specify the weight to be given to the factors of area and value. Prior to the recent reappraisal of value, apportionments have been made giving equal weight to each factor. To minimize the change in distribution of funds as compared with prior years, the Secretaries of Agriculture and Commerce after analysis of the reappraisal of value, made the apportionment of the forest-highway funds for fiscal year 1959 on the basis of 75 percent weight to area and 25 percent to value. This change in formula reduced the apportionments received by some States and increased them in others.

"The committee was concerned about this change in apportionment formula by the Secretaries without consultation with State or local officials or Members of the Congress. It would be difficult to adjust the apportionments already made for fiscal year 1959, and the committee recommends approval of such apportionments. It further recommends that the apportionment of forest-highway funds authorized in this bill for fiscal year 1960 and 1961, be made on a basis which will give each State the same percentage of such funds as if received from the apportionment of funds for fiscal year 1958. The committee has included in the bill provisions for the Secretary of Commerce and the appropriate officers of each State to make a study of the forest-highway situation, including designations, estimated cost to complete construction of all forest highways, a recommended 10-year program for construction of the proposed system, and the method by which such amounts should be apportioned for expenditure in the States. The results of the study are to be reported to the President and the Congress on or before January 1, 1960.

"The Committee included provisions in the bill that would permit any State to augment the apportionments made to such State for forest highways by transfer of not to exceed the lesser of \$500,000 or 5 percent of its regular Federal-aid apportionments, for construction, reconstruction, or improvement of its forest highways, such transferred funds to be expended in the same manner as the forest-highway funds without matching. The committee believed that this provision would be particularly advantageous to States whose forest-highway apportionments are small, but which have important segments of forest highways in need of improvement. It is the intent of the committee, however, that these transferred funds be expended only on forest highways that are on a Federal-aid highway system. ...



"In order to assure that the Congress will have ample opportunity to co-operate in the development of a long term road program when it reconsiders forest road matters in 1960, the committee will request the Department of Agriculture to submit a detailed program as soon as possible. This program should include estimates of road requirements for timber harvesting, recreational use, general use and protection, and the cost thereof, for each national forest and summarized by States. Forecasts of the type of roads that should be constructed with appropriated funds and those that should be built as a part of timber sale contracts should also be provided, with sufficient information on national forest resources and use potential to establish the economic justification for an adequate road program. Information should be furnished on the benefits to various forest activities that will be realized by implementation of a long-range program as well as losses to the economy that will occur if a long-range program is not promulgated.

"In connection with the above data, the Department of Agriculture should set forth any legislation that may be needed to promote the most effective operation of a forest road program utilizing both appropriated funds and timber purchaser road construction. ...

"The committee is also impressed by the need in certain areas to step up road and trail construction to eliminate terrifying fire hazards in vital watersheds. The House Interior and Insular Affairs Committee hearings on forest-fire control in southern California spotlight a most aggravated problem facing the Nation. Properly constructed and controlled roads will enable Forest Service fire fighters to attack these fires which denude the brush-covered hills and permit subsequent rains to flood heavily populated areas with debris and water.

"The committee believes it to be in the interests of the Federal Government to protect its natural resource represented by the national forests, and to develop that resource for the benefits that will be realized, not only in cash returns, but also in making available large areas for recreation and enjoyment of our citizens. It therefore recommends increasing the authorization of funds for forest development roads and trails from the present \$27 million to \$34 million for each of the fiscal years 1960 and 1961."

4. ELECTRIFICATION. Sen. Humphrey inserted a Minn. Electric Cooperative resolution commending REA Administrator Hamil "for the effective and satisfactory manner in which he has discharged his duties." p. 4608  
Sen. Proxmire inserted a Land O'Lakes Cooperative resolution requesting that interest rates on REA loans not be raised, and that "the REA Administrator be given full authority to approve loans, which authority was granted to him in the original REA Act of 1936." pp. 4616-17
5. DAIRY PRICE SUPPORTS. Sen. Proxmire spoke in opposition to the announced cut in dairy price supports, and inserted a letter from a Wisc. County Agent to the Secretary opposing the announced cut. p. 4617
6. FORESTRY. Sen. Murray commended, and inserted a newspaper article commending, Sen. Neuberger for his efforts to work out a solution for the disposition of Klamath Indian lands, including timber lands. pp. 4624-25
7. FARM PRICES. Sen. Humphrey inserted a local Farmers Union resolution urging Congress "to restore farm prices to full parity level." p. 4608
8. ELECTRIFICATION; SCHOOL LUNCH. Sen. Thye inserted a Minn. Elevator Assoc. resolution opposing any increase in interest rates on REA loans, and urging all schools to participate in the school lunch program. p. 4606



9. UNEMPLOYMENT COMPENSATION. Both Houses received from the President a message recommending enactment of legislation for the temporary continuation of unemployment benefits to individuals who have exhausted their benefits under State and Federal laws (H. Doc. 358). pp. 4653, 4725-26
- Both Houses received from the Secretary of Labor a proposed bill to provide for temporary additional unemployment compensation; to S. Finance and H. Ways and Means Committees. pp. 4606, 4745
10. FOREIGN AID. Sens. Kennedy and Cooper urged additional aid for India, including that under Public Law 480. pp. 4674-82

#### HOUSE

11. SECOND SUPPLEMENTAL APPROPRIATION BILL. Agreed to the conference report on this bill, H. R. 10881 (pp. 4687-93). Concurred in the Senate amendments to the USDA items which had been reported in disagreement (pp. 4693-4). Rep. Reuss urged opposition to the Senate amendment continuing the acreage reserve limitation of \$3,000 per farm and proposed instead that it be \$3,000 per producer (pp. 4690-3).
- The Senate also agreed to the conference report and acted upon amendments that had been reported in disagreement (pp. 4658-59). This bill will now be sent to the President.
- Sen. Hayden inserted a table showing the budget estimates, the House and Senate versions of the bill, and the amounts agreed to in conference. pp. 4659-62
12. CORN. Received the conference report on H. R. 10843, to permit soil bank payments to certain corn producers in the commercial area who exceed their corn acreage allotments (see Digest 47 for explanation). The Senate has agreed to the conference report. pp. 4701, 4746
13. FARM PROGRAM. Several Reps. discussed the administration's farm program and the price support and acreage allotment freeze resolution, S. J. Res. 162. Rep. Rhodes urged the President to veto the resolution (p. 4725). Reps. Hiestand, Frelinghuysen, Derounian, Teague (Calif.), and Sheehan stated that the measure would raise consumer food costs (pp. 4735-6). Rep. Curtis (Mo.) defended the economic soundness of the administration's farm program (pp. 4736-7). Rep. Alger stated there were too many farmers due to the high price supports (pp. 4736-8). Rep. Rhodes urged that farmers be treated like businessmen, and encouraged to produce more (p. 4738). Rep. Thomson (Wyo.) urged a return to the free market and no production limitations (p. 4738). Rep. Bass (N.H.) contended that present farm programs result in a double cost to the consumer (pp. 4738-9), and Rep. Neal agreed (p. 4739). Rep. Derounian stated that the cost to store food was excessive and led to higher food costs (p. 4739). Rep. McCarthy referred to the interdependence of farmer and consumer, the cost investment in farming, and contended that the farmer has been underpaid in recent years despite increased food costs and greater USDA expenditures (pp. 4742-3). Rep. Reuss criticized the Secretary for allegedly concealing the first edition of Farm Population Estimates of 1957, and stated that the Secretary erred in "disregarding the \$3,000 acreage reserve limitation per producer, in buying cheese from processors in 1954, in increasing the size of USDA, in dealing with a Mr. Jonkel to sell rice to Indonesia, and in draining wetlands (pp. 4743-4).



derstand the workings of our economy, do not unite to say the country cannot afford a tax cut for anybody right now, instead of advocating a tax cut for themselves.

#### ACTION BY FEDERAL PAY SUBCOMMITTEE ON PAY OF POSTAL SUPERVISORS AND POSTMASTERS

Mr. NEUBERGER. Mr. President, the Federal Pay Subcommittee, of which I am chairman, today unanimously reported favorably on S. 3400. This is the bill sponsored by the able junior Senator from Louisiana [Mr. Long] and others, to provide for upward adjustment in the pay of post-office supervisors and of postmasters.

We trust that our action will serve as guidance to the conferees who soon will consider the postal pay bill now in conference between the Senate and the House.

Therefore, I ask unanimous consent to have printed in the body of the RECORD a brief release which my office has submitted to the press regarding subcommittee action on S. 3400.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

Senator RICHARD L. NEUBERGER, Democrat, of Oregon, chairman of the Subcommittee on Federal Employees Compensation of the Senate Committee on Post Office and Civil Service, announced today that the subcommittee had unanimously agreed to favorably report S. 3400, a bill to further increase compensation of post-office supervisors and postmasters, to the full committee.

"It is hoped that the bill will be favorably reported by the full committee at its next meeting," stated Senator NEUBERGER.

"This course of action," continued Senator NEUBERGER, "has two possibilities. If the measure is accepted as an amendment to S. 27, the postal pay bill still pending on the Senate Calendar, and in the event of action on that bill, postal supervisors and other top employees in the postal service would receive the same cost-of-living adjustments S. 27 gives to other postal employees.

"If, on the other hand, an increase in the pay of postal employees results from H. R. 5836, the bill now in conference, this action by the subcommittee will serve to impress and guide the conferees with our views in the matter.

Other members of the Federal Employees Compensation Subcommittee are RALPH YARBROUGH, Democrat, of Texas; WILLIAM PROXMIRE, Democrat, of Wisconsin; WILLIAM LANGER, Republican, of North Dakota; and THRUSTON B. MORTON, Republican, of Kentucky.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10881) making supplemental appropriations for the fiscal year ending June 30, 1958, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 4, 5, 6, 9, 35, and 38 to the bill, and concurred therein, and

that the House receded from its disagreements of the Senate numbered 18, 20, 22, and 48 to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate.

#### ORDER FOR RECESS UNTIL 10 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today, it stand in recess until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### FEDERAL AID HIGHWAY ACT OF 1958

The PRESIDING OFFICER (Mr. Cotton in the chair). Is there further morning business? If not, morning business is concluded.

Mr. JOHNSON of Texas. Mr. President, I ask that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 3414) to amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. CHAVEZ obtained the floor.

Mr. JOHNSON of Texas. Mr. President, before the distinguished Senator from New Mexico states, for the benefit of the Senate, the action which has been taken by the Committee on Public Works, will he yield to me, in order that I may suggest the absence of a quorum?

Mr. CHAVEZ. I yield.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum; and I ask unanimous consent that following the quorum call, the Senator from New Mexico shall be recognized.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAVEZ. Mr. President, when the Congress enacted the Federal-Aid Highway Act of 1956, it embarked the United States on the greatest peacetime public works program in history. It recognized the Federal responsibility for early completion of the National System of Interstate and Defense Highways, a 41,000-mile system of the most important highways of our Nation, at an estimated cost in excess of \$27 billion.

The 1956 act continued in effect the cooperative Federal-State relationship that has been operating effectively since

the Federal-aid highway program was initiated in 1916. That program has made possible the improvement of our highways in every section of the Nation, in our industrial centers and in our rural areas, in our cities and in our forests.

The benefits from our highways reach every segment of our economy and the entire population of the Nation. These highways and roads are important for our national defense and for the development of our natural resources.

Senate bill 3414, the Federal-Aid Highway Act of 1958, includes the authorization for continuing and expanding the Federal-aid highway program. It includes additional authorization for fiscal years 1959, 1960, and 1961, for the regular Federal-aid systems, the Interstate System, and the Federal domain roads. The total authorization included in the bill is \$3.244 billion. It also includes provisions for apportionment of the Federal-aid funds for fiscal years 1959 and 1960.

The Subcommittee on Public Roads held extensive hearings on S. 3414 and other bills relating to the Federal-aid highway systems, and proposed amendments to the Federal-Aid Road Act. Careful consideration was given to the testimony received. The bill, as reported with an amendment, represents the recommendations of the majority of the members of the Committee on Public Works.

The committee believes that acceleration of work on the highway program is one of the most effective permanent public works programs for relieving unemployment, improving business conditions, and stimulating the Nation's economy. With more than 5 million of our citizens out of work, we should take the necessary corrective action, immediately and effectively, to get them back on the payrolls.

The committee further believes that the completion of the interstate system on schedule is of paramount importance to the Nation. Any slowdown or stretchout of the program would be tragic. The Federal Government is committed to completion of this system. The States have geared their programs and schedules to completion of the program within the original time schedule. It should not be permitted to lag.

The Committee on Public Works will continue to exercise strict surveillance of the highway program, its status and progress. When legislation is needed, it will be recommended. When irregularities in the prosecution of the program are rumored, they will be investigated. We will endeavor to see that the American taxpayer gets full value for every dollar spent on the highway systems.

Mr. President, the committee and I believe all Senators are interested in the Interstate Highway System. It is extremely important to the Nation and to the people of the Nation. But the committee went further. It believed other roads were needed as much as the Interstate System, that is, primary roads, secondary roads, farm-to-market roads, forest roads, and urban roads. Those are the roads which actually help the man who lives in the country. Those



are the roads which will get the farmer out of the mud. So we did something about such roads, and I wish to call the attention of the Senate to what the committee did.

Under the 1956 act, there was provided for the construction of the type of roads I have mentioned \$850 million for fiscal 1958. Under the bill before the Senate, the committee recommended \$300 million for 1960. The 1956 act provided \$875 million for fiscal 1959. Under the pending bill the committee has recommended \$900 million for that purpose for the year 1961.

The proportionate amounts of money which will be received from those authorized amounts is as follows: Of the total amount of dollars received under this program, the primary roads will get 45 percent; the secondary roads will get 30 percent; and the urban roads will get 25 percent.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. CHAVEZ. I yield.

Mr. LANGER. Will the States have to match any portion of the money?

Mr. CHAVEZ. Yes. The States will have to match a certain amount.

Mr. LANGER. What will be the matching figure?

Mr. CHAVEZ. Thirty percent will be the contribution of the State governments.

Mr. LANGER. Is that true with respect to farm-to-market roads?

Mr. CHAVEZ. Not only that, but the bill also provides for an appropriation in many instances, so that when the State does not have the money to comply with its proportionate share, the State can borrow the money from the Federal Government. Of course the money would have to be reimbursed to the Federal Government from other money the State would get in the future.

Mr. LANGER. Do I correctly understand that with respect to farm-to-market roads the State would have to pay 30 percent?

Mr. CHAVEZ. No. In the regular 1956 bill the matching provision is 50-50. We have in the bill under consideration an authorization of \$400 million for fiscal year 1959 with respect to which the 70-30 matching comes into the picture.

Mr. LANGER. Will the distinguished Senator explain the difference in matching of funds as between a secondary road and a farm-to-market road?

Mr. CHAVEZ. They will be treated practically the same. The farm-to-market roads, secondary roads, and primary roads are to be treated practically the same.

Mr. LANGER. In other words, the farm-to-market road will be treated the same as the secondary road?

Mr. CHAVEZ. The Senator is correct.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield for a question?

Senator CHAVEZ. I yield to the Senator.

Mr. MARTIN of Pennsylvania. As I understand, the purpose of the additional road work is to furnish employment. Is it not true that there is much more employment in the case of what we

call the ABC roads than in the case of the interstate highways?

Mr. CHAVEZ. That is correct. More people can be employed on the ABC roads—the primary, secondary, and farm-to-market roads—than can be employed on interstate highways. On the interstate highways, the work is heavy construction, generally performed by heavy equipment. When the work is done on a small country road, the local people are employed to do the work. Such roads provide more employment.

I may say in passing that one of the objections raised related to the section of the bill containing the billboard provision. The bill has only one justification; namely, the acceleration of road work and thus providing employment. In the opinion of at least six members of the committee, the section pertaining to billboards would put people out of work instead of putting people to work. That was the only objection. It was not raised so much because Senators were against controlling billboards, but it was felt that such a provision did not fit in very closely with the purpose for which the bill was introduced. That was the feeling of many Senators on both sides of the aisle.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield at that point?

Mr. CHAVEZ. I yield.

Mr. MARTIN of Pennsylvania. Is it not also true that many Senators believe that billboards on the various roads are a matter for the States to police, rather than something which should be regulated by a directive of the Federal Government?

Mr. CHAVEZ. Those sentiments were expressed. I desire to make my position clear. I personally feel that billboards should be controlled, but I also feel, as I stated in the committee meetings, that the billboard question does not belong in the bill now being considered. I think it should be treated separate and apart, for several reasons.

In the first place, I desire to have a road bill passed. I am afraid that if the amendment is added to the bill by this body, we may have a little trouble elsewhere, because there are differences of opinion even among those who feel billboards should be controlled. I know that in many instances billboards are very unsightly and detract from the scenic qualities of the terrain; so the ladies who are members of garden clubs and other organizations do have something to complain about.

I have stated heretofore that we were all in favor of the Interstate Highway System, the system which will take the tourist from New Jersey all the way to California.

The subcommittee devoted much time to the other types of roads, and I thank the members of the subcommittee for doing so.

I have made a few remarks about the primary, secondary, and urban roads. There are other types, and I shall mention a few.

Consideration was also given to forest highways. Those who come from the West, and even those who live in the

East, know the importance of forest highways. Such highways are necessary not only for the protection of the forests, but so that people can get into the forests. A lumber man might want to get into a forest, so that he could obtain the lumber or timber he had purchased from the Forest Service. What did the committee do in that regard? In the 1958 and 1959 allotments, the forest highways received \$30 million. Under the provisions of the bill under consideration an authorization of \$36 million is provided for forest highways.

Consideration was also given to forest development roads. Those are the roads to which I referred previously, which make it possible to give protection from fire, and to get into the forests in order to remove the 5 billion board-feet of stumpage. For 1958 and 1959 the total amount authorized for such roads was \$27 million. Under the provisions of the bill under consideration for 1960 and 1961, the committee has recommended \$34 million.

We gave consideration to national parks. Unless highways are provided, how are the American people to visit these wonderful places, which are assets and resources of Uncle Sam? For roads in national parks for the years 1958 and 1959 Congress authorized \$16 million. In this bill the committee has recommended \$20 million.

Under the 1958 and 1959 allotment, parkways were given \$16 million. The parkways item was left intact in the pending bill.

We gave Indian roads on Indian reservations some consideration. Indians also like to get out of the mud. I can speak about that matter, because there are many Indians in my State, as the Senator from North Dakota [Mr. LANGER] knows, including the Pueblo Indians. In many instances, because of the mud, the Indians cannot even fare forth to buy groceries.

The bill contains provision for \$12 million for 1960 and 1961. There is a further provision which should be helpful. Heretofore when we appropriated money for roads on Indian lands the money was for construction, maintenance and operation. Under the provision of the pending bill every penny of the \$12 million must be used for the construction of roads.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. CHAVEZ. I yield.

Mr. LANGER. Is any provision made that Indian labor must be employed?

Mr. CHAVEZ. There is no such provision in the bill, but we are crowding the employing officials. Indian labor will be used, I am pretty sure.

Mr. LANGER. As the distinguished Senator knows, with regard to some Indian roads a construction firm has obtained a contract to do the work.

Mr. CHAVEZ. We are trying to make sure the work will be done by local people, instead of having a bulldozer used so as to do the work in a hurry.

Mr. LANGER. Is there a provision in the bill that Indian labor must be employed?



Mr. CHAVEZ. That is not in the bill. The Indians, however, are employed. Let me give my friend some information.

A road is being built from the New Mexico-Arizona line to Glen Canyon, which is in approximately the central part of Arizona, on the San Juan River. A road is being constructed through that area at present, and I understand that most of the labor consists of Navahos from the area.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. LANGER. What good does it do to have the Indian road which the Senator mentions, in New Mexico, for the Navahos, when great construction firms from California bring in their own labor?

Mr. CHAVEZ. I think I understand what the Senator has in mind, and I fully agree with him. We did not place in the bill a requirement that Indian labor be used on Indian lands, because in many instances there will be a stretch of 9 leagues, or 6 miles, in my State, within the Pueblo area. The land granted to the Indians, back to the time of Phillip II, was 9 leagues wide, or approximately 6 miles. The road then continues, but within that area the labor program is usually handled locally.

Mr. LANGER. Is there anything in the bill which provides for building roads to mines, to move out strategic materials?

Mr. CHAVEZ. No; there is nothing in the bill on that subject.

Mr. LANGER. Does the Senator believe that the owner of a mine far removed from the highway should have assistance in building a road to move out strategic material?

Mr. CHAVEZ. If I could have my way on the subject of roads and many other subjects which come before the committee, I would favor such a course being followed. However, after all, there are other members of the committee. We tried to report a fair bill, and I think this is a fair bill. The subcommittee reported the bill unanimously.

There was no question whatsoever about the road bill. Members from both sides of the aisle were for it, and I am pretty sure that, notwithstanding the laudable ideas of the Senator from North Dakota in that connection, the committee recommended a very fair bill. However, there is nothing in the bill to provide that a road shall be built, say, from Grants, N. Mex. to the area where mining for uranium is in progress.

Mr. LANGER. Was the subject discussed in committee?

Mr. CHAVEZ. Let me say also to the Senator that usually in a mining area the local entities—the States or the counties—have jurisdiction over such roads as are usually built. However, the committee did not feel that we should compel the construction of a road 60 miles in length in order to reach a mine.

Mr. LANGER. Does not the distinguished Senator agree with me that, if we are to build a road 50 miles long for Mr. Weyerhaeuser to get out his timber, if 2 or 3 independent operators are working a mine, they should have some aid in building a road to reach the mine?

Mr. CHAVEZ. Mr. Weyerhaeuser gets his timber either from his fee property or from forest land. The only situation in which the Government helps is when forest lands are involved.

Mr. LANGER. I merely wished to bring to the attention of the distinguished Senator the subject of roads to mines.

Mr. CHAVEZ. I thank the Senator. He has some very good ideas.

Mr. President, there is another type of land in New Mexico with respect to which the Federal Government has jurisdiction. In the Western States, or the so-called public domain States, the Federal Government has Indian lands, reclamation lands, forest lands, and lands which constitute the public domain.

The bill contains a recommendation for the expenditure of certain funds for building roads in the public land areas. Money has been used for that purpose heretofore. I think the first time that occurred was in connection with a bill passed 3 or 4 years ago. An amendment was offered by the Senator from Oklahoma [Mr. KERR], as I recall.

In 1957 Congress made available for public-land roads \$3 million. In 1958 and 1959 Congress made available \$2 million. The amount contained in this bill for 1960 and 1961 is \$4 million, or double the amount which was authorized for 1958 and 1959.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. CHAVEZ. I yield.

Mr. LANGER. Does the description of public lands include Indian lands?

Mr. CHAVEZ. No. The public domain is the area in which a citizen may apply for a homestead. Once upon a time forest land had nothing at all to do with grazing. In very few instances would a person be allowed to homestead on forest land. No one can buy Indian land. A person might be able to lease it from the Indians, but he cannot homestead on Indian land. In my State, for instance, the Navahos own 16 million acres of reservation land. That land cannot be alienated, and it cannot be sold to a white man. A person could lease it, but he could not buy it.

Public lands are those lands which can be leased from the Federal Government for the purpose of herding cattle or sheep during a certain portion of the year. Forest lands are practically in the same category, except it is harder to get a permit to graze stock on forest lands.

Mr. LANGER. Mr. President, will the Senator yield further?

Mr. CHAVEZ. In the national parks, no land is leased. I yield to the Senator from North Dakota.

Mr. LANGER. Under the bill will the Federal Government pay 100 percent of the cost of the roads on public lands?

Mr. CHAVEZ. Yes. The land is not on the tax rolls of the States. That is the reason for the requirement that the Federal Government pay 100 percent of the cost. In my State, for example, perhaps 45 percent of the entire area belongs to the Federal Government. Hence we feel that it is only fair that Uncle Sam, who owns so much land, should

help keep up the roads in New Mexico. The same principle applies to the State of North Dakota.

Mr. LANGER. Mr. President, will the Senator yield further?

Mr. CHAVEZ. I yield.

Mr. LANGER. Let us take a quarter section or a half section of Indian land which is owned by a private citizen, a white man. How is the money allocated for the building of Indian roads in a case like that?

Mr. CHAVEZ. The money?

Mr. LANGER. Yes. Will the white man have to pay for the construction of the road which goes by his property on Indian land?

Mr. CHAVEZ. No; he does not. The Indian lands, so far as roads are concerned, are all Government owned. I do not know of any area, except possibly in the State of Oklahoma, that can be sold by the Indians.

Even where Navahos own homesteads outside the reservation itself, it is impossible for them to sell such land. I believe a law in Oklahoma, although I am not positive of this, permits an Indian to sell his property if he wishes to do so.

Mr. LANGER. I know the Senator is very much interested in the Navahos.

Mr. CHAVEZ. I am interested not only in the Navahos; I am interested in all the Indians.

Mr. LANGER. Yes.

Mr. CHAVEZ. My kinsfolk have been living among them for about 350 years. I like them. The Indian, primarily, needs three things. First, he needs roads. Education will come with the roads. Unless we build roads for the Indians in the Navaho Reservation, how can a Navaho child go 50 miles to Gallup to attend an Indian school?

Next, the Indians need what comes with the roads; namely, education and health. I wish to assure my good friend from North Dakota that within the next 60 days construction will start on a hospital for the Navahos at Gallup, N. Mex. That hospital will cost \$3 million. Then another hospital will be built for the Navahos within their reservation at Shiprock. That will cost a similar amount of money.

Mr. LANGER. I thank the Senator. I am delighted to hear him say that.

Mr. CHAVEZ. They need roads and subsistence, and they need health and education, and they need to be left alone, instead of being made museum pieces.

Mr. President, I have been most fortunate as chairman of the Committee on Public Works. Helping me are chairmen of subcommittees who work very patiently and for very long hours. The Senator from Tennessee [Mr. Gore] is chairman of the Subcommittee on Roads. For days and days he listened to tales of woe about what is contained in the pending bill. He is the one who took the trouble to listen and to get the information which would make it possible for the committee to make a recommendation to the Senate.

I am now going to ask the Senator from Tennessee to proceed with the details of the bill.



Mr. GORE. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. GORE. The subcommittee chairmen who have the privilege and opportunity to serve under the guidance and leadership of the able senior Senator from New Mexico are fortunate indeed. No chairman of a Senate committee could possibly extend greater consideration and a more helpful and cooperative attitude, nor more clearly delegate authority and responsibility, than does the distinguished chairman of the Senate Committee on Public Works.

Mr. CHAVEZ. The Senator is very kind, and I thank him. I hope that we can pass the bill very quickly.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. JOHNSON of Texas. I wish to express my great admiration and respect for the senior Senator from New Mexico [Mr. CHAVEZ] and for the outstanding work his committee always does. I am very appreciative of the promptness with which he has acted to meet the challenge that faces the Nation. I listened with great interest to the presentation the Senator made, and I shall now listen with equal interest to the presentation about to be made by the Senator from Tennessee [Mr. GORE]. I thank the chairman for the efficiency and dispatch with which he has acted.

Mr. CHAVEZ. I thank the Senator from Texas.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. LANGER. The distinguished Senator from New Mexico served with me on the Committee on Post Offices and Post Roads when he was chairman of that committee. In all my experience in the Senate I have never found a man who was more devoted to a task than was the Senator from New Mexico, in working out the retirement laws for all the postal employees—the letter carriers, clerks, and mail handlers—and I am satisfied, although I am not a member of the Committee on Public Works, that he is doing just as fine a job as chairman of that committee as he did when he was chairman of the Committee on Post Offices and Post Roads. On the tombstone of the distinguished Senator from New Mexico, when the time—

Mr. CHAVEZ. I ask the Senator not to be a fanatic about it, or to be in any hurry about it.

Mr. LANGER. When the time comes for that, the epitaph on his tombstone will pay tribute to the great service of the distinguished Senator from New Mexico rendered on the retirement bill in behalf of everyone in the postal service of the United States. He did a great job.

Mr. CHAVEZ. I recall vividly when I served on that committee that the committee had about as much to do with roads as the Public Works Committee does now. It used to be the Committee on Post Offices and Post Roads, and it had jurisdiction over legislation pertaining to roads. The Committee on Public Works did not come into the picture until

the passage of the Reorganization Act. After that the functions of the committee were divided; post office and civil service affairs went to the Committee on Post Office and Civil Service, and road matters went to the Committee on Public Works.

The Senator from North Dakota, who is an able constitutional lawyer, knows that the only authority this body has to recommend or to approve legislation such as is proposed in the bill now before the Senate is a 3- or 4-line paragraph in the Constitution which says that Congress shall have power to establish post offices and post roads. That is the only reason why we can authorize the imposition of \$27 billion in taxes upon the American people for this purpose.

Mr. GORE. Mr. President, the bill before the Senate will, in the unanimous view of the Committee on Public Works, provide a timely acceleration of our highway construction program so as to bring into being needed permanent public improvements while, at the same time, providing employment opportunities and otherwise stimulating our economy.

The increased cost of vehicle operation resulting from inadequate highways has been estimated at approximately 1 cent per mile, or in excess of \$5 billion a year. The tragic loss of life—more than 37,000 fatalities last year—and the untold suffering of the more than 1 million persons who are injured in highway accidents each year cannot be measured in terms of dollars. The staggering proportions of highway accidents should steel our determination to improve our highways.

This improvement is made the more necessary by the delay in accomplishing highway improvements during the years of World War II, the Korean conflict, and the period immediately following, because of the shortage of materials and labor. Such shortages are now nowhere to be found; on the contrary, unemployment, and stockpiles of surplus vehicles and materials, invite the use of the unemployed persons and machinery for the accomplishment of permanent public improvements, from which the Nation now and in the future will benefit.

The economic benefits which will flow from improved highways, as reflected in reduced transportation costs and decreased property damage, together with the reduction in the number of deaths and human suffering, are in themselves ample justification for the construction of roads which will be made possible by the funds authorized in the committee bill. The additional jobs which will be provided through highway construction, and the additional stimulation to our economy which will result from the expenditures of the funds earned by those who will obtain employment, are added dividends at a time when they are sorely needed to shore up our economy.

The President has estimated that one-seventh of all Americans owe their livelihoods to occupations which are connected in one way or another with our highway system. Contemplate that, Mr. President. One-seventh of all Americans owe their livelihoods to the industries associated with highway trans-

portation. Where else, then, could we proceed more sensitively, quickly, and effectively to reach the heart and the pulse of our national economy? The additional jobs which will be created by an accelerated construction program will be an immediate and highly beneficial, but by no means the only, or even the major, economic benefit to be derived from the bill.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. JOHNSON of Texas. Can the Senator from Tennessee give the Senate an estimate of the number of additional jobs which, in his opinion, will result in the next fiscal year from the enactment of the bill?

Mr. GORE. I appreciate the concern evidenced by the question of the distinguished majority leader. There are several ways in which the matter could be viewed.

First, before replying directly to the able Senator's question, although the number of job opportunities which will actually be created by the expenditure of funds under the terms of the bill is important, they are not, in my opinion, the most important economic stimulation. The confidence of the people in the soundness of the economy—there is a difference between confidence in the future and concern about the future—is more important, in my opinion, than the actual Government expenditure itself.

The important question is, How are we to shore up that confidence? I think the most effective way to strengthen the confidence of the American people in the future of the economy and to dispel their uncertainty and apprehension about the future is to have the Government demonstrate by acts that it is determined not to let the present slump get out of hand. One of the effective ways of doing so, in my opinion, is by the enactment of the pending bill.

To come more directly to an answer to the Senator's question, under the terms of the bill Federal funds will be made available to the States by July of this year which, when added to the State matching funds, will result in a \$5½ billion highway construction program. This amount includes the supplemental authorizations for fiscal 1959, which would be apportioned immediately upon the enactment of the bill, and the fiscal 1960 authorizations, which would be apportioned by July of this year. None of these funds—none of the \$5½ billion—would be available during this calendar year without the enactment of the pending bill or some other bill.

In terms of acceleration, however, if it is assumed that a routine authorization bill providing, for fiscal 1960, funds for primary, secondary, and urban roads would be passed anyway—an objective for which provision is made by the pending bill—the amounts made available by July of this year, under S. 3414, exceed by \$1,800,000,000 the amount which would otherwise be made available on December 31, 1958. The bill, therefore, not only makes more funds available, but also moves the date of appor-



tionment from December 31, 1958, to July 1958.

On the basis of information supplied by the American Association of State Highway Officials, it is estimated that the prompt enactment of Senate bill 3414 will bring about obligation by the States, during the remainder of the calendar year 1958, of highway funds totaling \$2,720,000,000, over and above the amount which would be put under contract in the absence of this proposed legislation. Thus it can be said that the pending bill would bring about the initiation of \$2,720,000,000 worth of highway work during this calendar year, over and above the amounts which otherwise would be begun.

If we translate that amount of expenditure into terms of man-years of employment, we arrive at the very conservative estimate of 520,000 man-year jobs. I believe it is more conservative than realistic to estimate on a man-year basis, because, as the able Senator from Texas knows, highway construction is concentrated in the good-weather months of the year. But in order to be conservative, I have chosen to answer the majority leader's inquiry by giving a conservative estimate, based on man-year jobs.

That brings us to the large total of 520,000 man-years of employment opportunities. I wish to point out that when half a million people have jobs, they are able to pay their grocery bills, buy clothes for their children, make payments on their automobiles, and thus avoid repossessions, pay their rents, and perhaps build homes. Thus the economy is stimulated, in my opinion, far more than that job figure indicates. This estimate of 520,000 man-year jobs is only an estimate of the actual job opportunities which in 1958 would be provided, directly or indirectly, by means of the contract obligations made under the provisions of the bill. The estimate does not relate to the general stimulation to the economy.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Tennessee yield to me?

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Does the Senator from Tennessee yield to the Senator from Texas?

Mr. GORE. I yield.

Mr. JOHNSON of Texas. I wish to congratulate the Senator from Tennessee for the thoroughness with which he has replied to my question. It is characteristic of the able Senator from Tennessee.

I wish to observe that I share his viewpoint that it is extremely important that the 170 million people who make up the population of the United States have confidence in the future of the country and in the ability of our democratic processes to cope with any challenge which confronts the Nation.

But I believe it is extremely important that the processes of Government be put to work, not by means of what some call a massive, long-term, long-drawn-out public-works program, but by a housing program which can be felt immediately, and which it is estimated will

put 600,000 men to work; and by a roads program which the Senator from Tennessee says will employ an additional 520,000 men during this calendar year. If the Congress and the Executive together will face up to the realities of today, I believe we shall be very proud of our system, because, as the Senator from Tennessee so well stated a few days ago in the Public Work Committee, it is much cheaper to prevent a depression than to get out of one.

I realize that these may not be the only steps we need to take. I believe that whatever it is necessary to do will have to be done. Studies and reviews are constantly being made of other fields which will permit our people to face up to this challenge and be equal to it.

But I am glad the Senator's subcommittee has—as a result of his diligence and his leadership—produced for the full committee and for the Senate, a bill which I understand has been unanimously reported from the committee. My understanding is that the only differences among the members of the committee do not relate to the wisdom of a road-building program. I understand that the differences among the members of the committee are in regard to other matters related to billboards and perhaps utility apportionments. Is that correct?

Mr. GORE. That is correct.

Mr. JOHNSON of Texas. Do I correctly understand that the bill has been reported to the Senate by a unanimous vote of the members of the committee, with the exception of the vote on those two items?

Mr. GORE. That is correct.

Mr. JOHNSON of Texas. Mr. President, I wish to congratulate the members of the committee for the statesmanship they have displayed and for their willingness to act in a bipartisan manner in an hour of great trial.

Mr. GORE. I thank the able Senator from Texas. The Subcommittee on Public Roads and the Senate Public Works Committee as a whole have constantly striven to avoid partisanship in connection with highway legislation. We do not feel that partisanship has a part in it. Democrats and Republicans alike are being killed on the highways. Unfortunately, our highways have been growing worse, instead of better. In other words, highway improvement has for the past decade fallen far behind.

On yesterday, in Nashville, Tenn., I attended a convention of home builders, mortgage bankers, and representatives of building and loan associations. A speaker who preceded me on the program asked for a show of hands, first by those who thought there would be more new home starts this year than last year. Then he asked for a show of hands by those who thought there would be fewer starts this year. I was impressed by the fact that fully three-fourths of the persons there did not express an opinion either one way or the other. That seemed to me to demonstrate the uncertainty which has seized business leaders and the people of the country.

What we need to do is take the steps necessary to give to the country assur-

ance that the Government will not permit a recession to slide into a depression.

Mr. MANSFIELD. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. MANSFIELD. I wish to commend the Senator from Tennessee for the statement he has just made.

In view of the fact that a certain amount of propaganda is being spread around the country about the uncertainty of action by the Congress, and in view of the statements being made about prophets of gloom and doom, and in view of the political implications which have been made about the recession we are in—although I am sure that today no one in the country would not admit that we are in a recession, at least—I wonder whether the Senator from Tennessee recalls that action taken by this body, under the leadership of the distinguished majority leader, the senior Senator from Texas [Mr. JOHNSON], has been on a bipartisan basis. Is that correct?

Mr. GORE. That is correct. I think the votes taken thus far have been almost unanimous, if not unanimous.

Mr. MANSFIELD. Very well.

To date the distinguished majority leader has submitted two resolutions stating that it is the sense of the Congress that the administration be requested to accelerate civil works projects and defense projects which already have been authorized, and for which funds have already been appropriated? Is that correct?

Mr. GORE. That is correct.

Mr. MANSFIELD. And on both of those resolutions there was only one dissenting vote. Then we have the housing program, calling for an expenditure of \$1,800,000,000, which will put hundreds of thousands of people to work. As I recall, that bill was passed unanimously by this body.

Mr. JOHNSON of Texas. Eighty-six yeas to no nays.

Mr. MANSFIELD. Eighty-six yeas to no nays, was the vote.

Recalling a statement made earlier in the debate on the highway program, the pending bill was reported unanimously by the Committee on Public Works.

Mr. GORE. That is correct.

Mr. MANSFIELD. So, on the basis of the constructive, responsible record to date, I would say, that there has been no panic so far as the Senate or the House of Representatives is concerned; that we have moved deliberately, knowing what we are doing, and endeavoring to alleviate the recession throughout the country; and that we have done it in a responsible, bipartisan, nonpolitical manner. Does the Senator agree?

Mr. GORE. I agree fully with the Senator from Montana; and I would respectfully suggest to President Eisenhower, members of his Cabinet, and the spokesmen for his administration, that faint heart never won fair lady.

Following me on the program in Nashville yesterday, to which I have already alluded, there was a spokesman for the White House, Mr. Howard Pyle. In the



first part of his speech he seemed to condemn thoroughly what some people call massive public works. Why, suddenly, everything is condemned by use of the word "massive" I do not know. In the latter part of his speech he delineated the various public works programs and expenditures which the administration has brought into being or now recommends.

I do not think it is quite so effective as it could be for an administration spokesman to condemn antirecession acts on the one hand, and then recommend them in the same statement. I think there should be more forthrightness, more determination. I believe more forthrightness and more determination would have more effectively stimulated confidence than have the fainthearted expressions we have heard. Even President Eisenhower accomplished the remarkable political feat of both condemning and recommending public works in the same statement.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. GORE. Yes.

Mr. MANSFIELD. I have been interested in the President's remarks concerning make-work projects, and I put the words "make work" in quotation marks. Does the Senator recall any action taken by this body this year which would in any way have any relation to make-work projects?

Mr. GORE. That depends upon the interpretation of the expression. I should like to know what the administration means by make work, what it means by massive, and what it means by other terms which have been used. Insofar as concerns a program which has but one objective, providing work, I do not know what it means. Insofar as concerns bills to stimulate the economy by doing two things; first, providing for the construction of permanent, needed public improvements; and, second, furnishing thereby additional employment opportunities, the pending bill is a prime example. The housing program is another prime example.

Mr. MANSFIELD. The Senator is correct. To use another expression, does the Senator know of any leaf-raking projects which have been advocated, proposed, or passed by this body?

Mr. GORE. I know of no Member of this body who has proposed a leaf-raking project, or who has proposed "boondoggling." I know of a number of Senators who have voted for a resolution recommending acceleration of a public works program to provide permanent public improvements so as to stimulate the economy, and with this latter view I have been associated.

I should like to say to the Senator that it was 8 weeks ago today when I rose at this desk and said, frankly, after studying the economic indices of our economy, that I thought we were in a recession. On that day I introduced a bill to provide for a public works program. I called for an accelerated highway program, expansion and liberalization of credit, relaxation of the tight-money policy, a vigorous home-building program, urban redevelopment, river and harbor improve-

ments, and a stabilization of farm income. I will say to my able colleague from Montana, in all candor and frankness, that from Maine to California, and in the Congress of the United States, I was denounced more scathingly for those words and those actions than I had previously been during my 20 years in public life.

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. GORE. I yield.

Mr. MANSFIELD. The Senator is correct. I recall some of those statements. I recall some of the news stories. I recall what the Senator said on this floor, after having made a trip to his home State of Tennessee, after having seen people who were out of work; after having seen people who were on relief. But also I think the Senator should receive some satisfaction from the fact that what he said then has been proven true, and that the measures which he advocated 8 weeks ago are now coming to full fruition.

Mr. GORE. I thank my able colleague from Montana for his very generous remarks.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CHURCH. I think the Senator from Montana has pointed to a subject which in these days needs much emphasis, because there is certainly the suggestion, in the remarks of those who are high in the councils of the present administration, that any public works project is questionable; and certainly there is the added suggestion in such remarks that public works projects are somehow make-work or leaf-raking projects, and therefore projects to be resorted to only in the last extremity.

In the light of that viewpoint, I think it ought to be said, with reference to the PWA and the WPA, which the gentlemen making those remarks apparently have in mind, that there is much evidence, even today, that those projects, undertaken in the years of the great depression, in the New Deal years, in the 1930's, contributed lasting benefits to the people. I know that in the cities of my own State of Idaho one can travel from place to place today and still find boulevards, bridges, parks, playgrounds, schools, and hospitals which were built by the unemployed under the WPA and the PWA, in the dark years of that depression, and which are still contributing to the lasting benefit of the people a generation later.

Lest there be any misunderstanding with respect to the kind of public works projects which are now securing the approval and support of the Congress, let it be pointed out we are not now considering, nor have we been considered at any time during the present session, any sort of leaf-raking or make-work projects. We have been considering homes for the families of America, and dams, in the interest of comprehensive development of our river resources, which will contribute energy and will contribute water to the arid lands of America for generations to come.

In the bill now pending before the Senate we are considering the acceleration of a highway building program which will last for decades, which is already badly needed. As the Senator from Tennessee well knows, this bill will merely contribute toward putting back on schedule the program which was adopted by the Congress several years ago.

I have only recently become a member of the Committee on Public Works, but it has been my privilege to watch the distinguished Senator from Tennessee in action, so to speak, with respect to the highway question. It was my privilege to see him conduct a public hearing in Idaho, my own State, last December. I have participated with much interest in the deliberations of the Committee on Public Works on the pending bill.

I wish to say to the distinguished Senator from Tennessee that I think he is making a great contribution to the welfare of the country in the leadership he has shown in advancing the bill, steering it through the committee, and speaking on its behalf today in the Senate Chamber. We are considering a bill which meets a real national need. We are considering a bill which will stimulate our sagging economy and provide a half million additional jobs. Finally, we are considering a bill which will result in a network of highways scattered throughout the country, which will provide lasting benefits for the people of America, not only this year, but next year and in the future for as long ahead as we can see.

For these reasons I commend the Senator for the work he has done and assure him that I am pleased to join enthusiastically in support of the bill now pending before the Senate.

Mr. GORE. I thank my able, distinguished, and generous friend, the junior Senator from Idaho. He has contributed greatly to the pending measure. I look forward to working with him in this Chamber in years to come. He has brought to the Senate a freshness of point of view, an ability to foresee, and an eloquence to express his aspirations and those of his people for America, from which in my opinion, the Senate and the country will long benefit.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CLARK. Mr. President, I have listened with great interest to the colloquy engaged in by my distinguished colleagues from Montana, Tennessee, and Idaho, particularly with reference to the attitude of the Eisenhower administration toward the present recession. I wonder if my good friend from Tennessee would agree with my analysis if I expressed the idea a little differently.

The Eisenhower administration seems to love to bring up phrases like "made work of dubious value" for the purpose of discrediting efforts of Members of Congress to find ways and means by public-works programs to put people back to work. It is my suggestion that the blind spot of the Eisenhower administration is that it has no appreciation



of how obsolete much of the public sector of our economy is.

I recall for my friend from Tennessee the famous comment of Abraham Lincoln, which both sides of the aisle are so wont to quote:

The legitimate object of Government is to do for the people what needs to be done, but which they cannot by individual effort, but at all, or do so well, for themselves.

I point to my own distress at seeing the Eisenhower administration back away from its program for school construction, which would put people back to work at a time when we know many thousands of our schools are obsolete and many more thousands of additional schools are necessary, which local and State tax resources cannot buy.

I invite my friend's attention to a subject in which he has perhaps an even greater interest, which is river valley development. I invite his attention to the utterly unrealistic partnership policy of the Eisenhower administration, which has prevented the further and needed development of the great rivers in the State of the Senator from Tennessee and the great rivers in the State of the Senator from Idaho, and has prevented even a beginning of the long overdue development of the three great river basins in my State: the Delaware, the Susquehanna, and the Ohio-Allegheny-Monongahela.

I invite my friend's attention to what must have been a calculated plan to cut down urban redevelopment and slum clearance, through the desire of the Eisenhower administration to throw back on the States and localities a fiscal burden which they cannot possibly bear.

Finally, I invite to my friend's attention the something less than enthusiasm displayed for his own timely bill to speed up the modernization of our road system by putting into that system quickly and at once vast additional sums, which will probably put people back to work quicker than anything else.

So I wind up a pretty long question with the inquiry as to whether my friend from Tennessee feels that we must somehow, in some way, awaken this administration to the great and unmet needs in the public works field. The highway program is an outstanding example of a development which is badly needed to create wealth. The purpose is neither to rake leaves nor to make work of dubious value, but instead to create wealth in the public sector of our economy which, under the administration of our friends across the aisle, has been so sadly neglected for the past 5 years.

Mr. GORE. Mr. President, I appreciate the erudition evidenced by the statement and the question. Wealth is created by the application of effort, the combination of capital and labor. A dam in an effective river valley development which will provide energy to turn the wheels of production is, in any reasonable sense, an acquisition of wealth, of capital improvement and structure to our Nation.

Viewed in a long-term sense, particularly since the very survival of our way of life depends on the quality of our education, the construction of adequate

school facilities adds to the wealth, and more particularly to the strength and security of the United States.

That is true in an equal sense of urban redevelopment and the elimination of slums.

It was in a debate on this particular subject about a year ago that I heard the able junior Senator from Pennsylvania startle a number of Members of this body with the statement that in his opinion the President's budget was not large enough. How right the Senator was. But, oh, how he was condemned for his statement at the time.

The Senator has referred to the cold water being thrown upon the efforts of Members of this body to bring about stimulation of our economy. He has referred to such tactics as efforts to discredit the activities of Members of this body. That may be. However, I am more concerned with the effect of such action in diminishing the effectiveness not only of what is done in this body, but also of the actions of the administration itself.

Why must an act be condemned on the one hand, and found necessary on the other—and sometimes in the same statement? Fear breeds upon fear, and confidence grows upon confidence.

I do not say these things in a partisan sense. I started by saying that I was offering a suggestion. The real leadership against the recession has come from the Chamber in which the able Senator and I have the great honor and privilege of serving. Members of this body have not undertaken to provide national leadership because of any desire to usurp the powers of the Presidency. Indeed, we are trying to persuade and help the President to do the job he should be doing himself.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CLARK. I express my appreciation that the Senator has so ably amplified my own thinking. I think he and I are in accord, that if this suggestion were partisan it would be valueless, because under our constitutional system of checks and balances executive leadership is vested in the White House, where it properly belongs.

We in this body can do not more than to suggest, advise, and consent. I sometimes have the feeling that the able Senator and a number of his colleagues, including myself, are trying to push water uphill, against an inertia where leadership should exist. It is discouraging at times.

Many of my friends on the other side of the aisle have also made suggestions as to how leadership should be grasped at the other end of Pennsylvania Avenue. This is not a partisan subject, and I am glad my friend has noted that fact. However, I am sure he will agree with me that while we in the Legislature do our best to suggest or recommend, no one can take the place of the President of the United States in exercising the leadership on which the future welfare and well-being of the country depend.

Mr. GORE. No one can provide the leadership which this country requires

and deserves except one clothed with the power, the glory, the honor, and the prestige of the Presidency of the United States.

In the absence of adequate leadership, Members of the United States Congress have no choice but to do the best they can, inadequate though that may be, within the limits within which the Congress is organized and constitutionally empowered to act. We have no patriotic choice but to do the best we can under the circumstances.

What can we do? We can propose. We can investigate. We can make committee reports. We can articulate our views and sentiments, voicing the will and the needs of the people in the Chamber of the United States Senate.

We can undertake to contribute the best thinking of which our intellects are capable. We can legislate. We can enact programs, but the Congress cannot administer the programs. We can make appropriations and urge their use, but under the Constitution we cannot spend the money.

We can authorize contracts, but we cannot sign them. There are things that the Congress can do, and things that the Congress cannot do.

I am proud that the Congress is undertaking to do the things of which it is capable, and that it is undertaking to persuade the President and the executive branch of the Government to do those things which, in the view of the Congress, the representatives of the people, are necessary to be done.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CLARK. I wish to thank my good friend for his courtesy in permitting me to interrupt the fine address he is delivering on the subject. It is always a satisfaction and a pleasure to listen to him.

Mr. GORE. I thank the Senator.

I should like to point out one additional thing. On Tuesday, week before last, the administration came before the Highway Subcommittee and opposed the pending bill. On Friday of the same week the bill was reported unanimously, with respect to all except two sections.

I should like to see the administration wake up and realize the danger to the American economy and to American security. I regret that this particular question has arisen during the course of my discussion of the pending bill and its contents. I should like now to return to the pending bill.

Mr. CLARK. I thank my friend from Tennessee.

Mr. GORE. The automobile industry, the petroleum industry, the trucking industry, motels, filling stations, tourist courts, roadside parking facilities, and innumerable other industries associated with highway transportation, and indeed, the general public will receive benefits from improved highways. On this point, insofar as I know, all are agreed.

Of more immediate concern, however, is the provision of employment opportunities for the mounting numbers of the unemployed, about whom we are



all currently concerned. Evidence presented to the Committee on Public Works, originating in a survey conducted by the State of New Jersey, indicates that for every dollar spent in highway construction, 90 cents goes for wages, either directly for on-the-job labor, or indirectly for labor performed in the production of materials and the manufacture of equipment used in the construction process.

Under the pending bill, funds will be made available this year, which, when added to matching funds put up by the States, will provide for a highway construction program of \$5.4 billion on the Federal-aid highway systems alone. In excess of \$100 million additional will be made available this year for the construction of highways in our national forests, our national parks, and other areas within the public domain.

It is true that not all of these funds will actually be paid out of the Treasury during this coming fiscal year. A substantial portion of them will be obligated by contract during this year, however, and this amount, when added to sums already programed from funds previously made available, will approach that figure. On the basis of testimony presented to the committee by State highway officials and representatives of the road-building industry, I am confident that our State highway departments and the industry can quickly gear their programs to the annual construction rate authorized in the bill before the Senate.

I turn now, Mr. President, to an analysis of the major provisions of the bill as reported by the committee. I will deal, first, with the authorization provisions for the Interstate System; secondly, with the sums authorized for the primary, secondary, and urban systems, and for highway construction on Federal lands; and, finally, with miscellaneous provisions of the bill which make certain changes in existing highway law.

This recognition of the prime responsibility of the Federal Government for a system of interstate and defense highways illustrates that as our Nation grows more complex and populous, more and more problems become national in character. Two Presidents of the United States vetoed Federal highway bills partly on the ground that highways were local responsibilities. Who can say now, when the strength of our economy and the strength of our national defense in a very realistic sense are tied to transportation and communication, that adequate highways are local problems? Indeed, the need for adequate highways is a national problem.

The act of 1956 proclaimed explicitly the recognition on the part of the Federal Government of its primary responsibility for financing the Interstate System of highways connecting the major metropolitan centers of the United States. The act of 1956 authorized the apportionment over a 13-year period of funds sufficient, on the basis of cost estimates then submitted to Congress, to complete this system of highways by 1972, to standards adequate to meet the traffic needs of 1975.

Since passage of the act of 1956, revised cost estimates have been submitted by the Secretary of Commerce reflecting a 37 percent increase over the estimates upon which the authorizations in the 1956 act were based.

In the absence of additional appropriations to the highway trust fund, which was not recommended in the budget, certain restrictions contained in the financing provisions of the 1956 act prevent apportionment this year of the sums authorized for fiscal 1960, in the amount of \$2.2 billion, as provided in the act.

The Secretary advised the committee that he would be unable to apportion any amount in July of this year, the normal time at which fiscal 1960 funds would be made available for obligation; that the 1960 apportionment would be deferred until December, and would be made available at that time in the reduced amount of \$1.6 billion.

Thus, Mr. President, in the absence of appropriate action by this Congress we are faced with a slowdown, or a stretchout, in our interstate highway construction program just as it is gaining momentum and at a time when curtailment of highway construction would have an adverse effect upon our economy, already suffering a serious downturn. Unless we act to restore the time schedule contained in the 1956 act, the completion of our Interstate System will be extended to 1980, or possibly later. Under such conditions, these magnificent highways would be obsolete before they are even constructed.

The act of 1956 was specific in declaring, as a matter of policy, the intent of the Congress to take such action as might be necessary to adhere to this time schedule set forth in that act. Your committee believes that the increases in authorizations for the Interstate System provided in this bill will be reasonably sufficient to insure construction progress during fiscal years 1959, 1960, and 1961 adequate to maintain the time schedule in the act. We have increased the authorization for fiscal 1959 to \$2.2 billion by authorizing a supplemental apportionment of \$200 million. This \$200 million will become immediately available upon enactment of the pending bill. The authorizations for the years 1960 and 1961 are each increased from \$2.2 billion to \$2.5 billion. The authorization for 1960, under the terms of the pending bill, can be apportioned in July of this year.

The committee has deferred its decision on increasing the authorizations for the years 1962 through 1969 because of the presentation to it of certain encouraging information, which I am sure will be of interest to the Senate. The committee was informed by the Bureau of Public Works, and other witnesses, particularly Governor Harriman of New York, that contracts awarded for the actual construction of the Interstate System have been let in amounts which are in some cases substantially below the cost estimates submitted to Congress.

Mr. O'MAHONEY. Mr. President, will the Senator yield for a question?

Mr. GORE. I yield.

Mr. O'MAHONEY. As the Senator from Tennessee knows, I spoke to him several days ago about some of the aspects of the highway bill, and said that I was hopeful an opportunity would be presented for me to discuss it with him in our offices. That opportunity did not arise. I became ill shortly after that, and then an accumulation of work made it impossible for me to ask him the questions I had in mind.

Judging by what I have seen in my own State, I have come to the conclusion that the Federal Highway System is being constructed—

Mr. GORE. Is the Senator referring to the Interstate System?

Mr. O'MAHONEY. The Interstate System. It is being constructed according to the ideas of the engineers who plan and the contractors who build, rather than according to the ideas of the areas to be served. I doubt that half a dozen ordinary cities and communities in Wyoming actually will be on the Interstate Highway System. In Cheyenne, or right next door to Cheyenne, there has been a military base for many years. It was first known as Fort D. A. Russell; then it became Fort Francis E. Warren, named after the great Senator from Wyoming; it is now known as Warren Air Force Base.

The Interstate Highway System which is now being constructed has resulted in the erection of an earthen bastion which shuts off the base from the town. I myself have inspected one of the streets of the city, as it runs north and south. It used to face the Warren Air Force base; it now faces a big bank upon which the Interstate Highway stands. That, in my judgment, has greatly decreased the value of the properties along that road.

What assurance have we that in the further extension which is being proposed, full opportunity will be granted to local communities to protect themselves from such treatment? I am aware that the State highway commissions are consulted, but charges have been made to me which I have not had the opportunity to investigate, that the State highway commissions do not pay any attention to local ordinances, because the general concept is of an interstate system designed for military purposes, and which will skip the local cities. Is that correct?

Mr. GORE. The 1956 act provides almost exactly the contrary. It provides that the highways shall be located and designed to meet, equally, to the extent feasible, the traffic needs of a national character and the traffic needs of a more local character.

I read from subsection (b) of section 116 of the 1956 act:

Insofar as possible in consonance with this objective, existing highways located on an interstate route shall be used to the extent that such use is practicable, suitable, and feasible, it being the intent that local needs, to the extent practicable, suitable, and feasible, shall be given equal consideration with the needs of interstate commerce.

Mr. O'MAHONEY. That authorizes the exercising of discretionary power to make the decision as to whether or not



the roads are practicable, suitable, and feasible.

Mr. GORE. The able Senator from Wyoming knows that this is a Federal-aid program, and it is traditional in this program that the States initiate applications for highway construction projects. The States propose the locations. The respective States propose not only the locations, but also the geometric designs and grades, and they specify the number of traffic lanes.

The Secretary of Commerce then is given the power and the responsibility under the act to approve or disapprove the applications of the States.

The subcommittee was informed that there had been a very satisfying degree of cooperation between the Bureau of Public Roads and the States. In some instances I have been critical of the Bureau of Public Roads in that I thought the Bureau was undertaking to transgress upon the rights of the States in a truly cooperative and partnership program.

Mr. O'MAHONEY. May I ask another question?

Mr. GORE. Let me make one further comment. By and large, I think the degree of cooperation between the Bureau of Public Roads and the various State highway departments has been most commendable. I now yield.

Mr. O'MAHONEY. Am I to understand from the Senator that the initiation of a particular highway must come from a State authority?

Mr. GORE. I defer to the distinguished chairman of the Committee on Public Roads for the answer to that question.

Mr. CHAVEZ. The State authority, generally through the highway commission, programs or initiates the construction of the roads.

Mr. O'MAHONEY. But is it the only initiator?

Mr. CHAVEZ. As stated by the Senator from Tennessee, after that has been done—

Mr. O'MAHONEY. That is another matter. That is passing upon the application. If a State does not initiate a project, can the Federal Government initiate one?

Mr. CHAVEZ. No.

Mr. GORE. No; except on Federal land.

Mr. O'MAHONEY. Oh, yes; of course; that is obvious. Then, as I understand, if the construction of a highway in any State would be too expensive, would be beyond the local needs, or seemed to be harmful to local needs, the responsibility would lie with the State authorities who first initiated it?

Mr. GORE. I do not think that that is completely accurate, because if a State proposes a geometric design which is below the approved standards, it cannot and should not be approved by the Secretary of Commerce, nor should the project be approved if the State had proposed a design which greatly exceeds the standards. The standards for the Interstate System are declared by the act to be the standards adequate to handle the traffic of 1975. So the State high-

way departments and the Bureau of Public Roads must look forward to the greatly increased traffic pattern anticipated for 1975.

Mr. O'MAHONEY. Who are the prophets in the Department of Commerce who will undertake to tell what the volume of traffic in 1975 will be?

Mr. GORE. I cannot identify people as prophets. The Bureau of Public Roads has a staff of competent engineers who have devoted their lives and their careers to highway transportation problems. They have a remarkably fine record in that regard.

Mr. O'MAHONEY. I am aware of that. I echo the Senator's compliment. But I should like to tell him a story, if I may, of certain experiences when the Office of Price Administration was in operation. The OPA, in trying to keep the cost of living down during the war, issued ration cards for the purchase of gasoline and tires, because both gasoline and rubber were needed for the war. Civilian consumption was reduced, and the prices of those commodities were held down.

But in certain areas of my State I found that some farmers, in order to get the rationed tires, had to expend their entire gasoline allowance to drive to the county seat to get the tires, because the plans were written by experts in Washington, who were familiar only with what was going on in the highly populated States, but did not understand the situation which existed in the States which were still growing, States like Wyoming and New Mexico.

Mr. CHAVEZ. The OPA was practically a crash proposition.

Mr. O'MAHONEY. That is correct.

Mr. CHAVEZ. I may say in behalf of the Bureau of Public Roads that since the days of Commissioner MacDonald—

Mr. O'MAHONEY. I knew Mr. MacDonald very well. Before the Senator voices his compliment, I may say that I agree with him.

Mr. CHAVEZ. I have dealt with many bureaucrats; but Mr. MacDonald was one official who was really liked and respected by Congress, on both sides of the Capitol.

Mr. O'MAHONEY. Indeed; but he is not the person who is to determine what the volume of traffic will be in 1975.

Mr. CHAVEZ. That is true. But let me tell the Senator from Wyoming that the Bureau of Public Roads, even after Mr. MacDonald retired and was out of the picture, had Mr. Tallamy. I am not speaking now from the administrative standpoint or from the political standpoint. I believe that Mr. Tallamy, the present Federal Highway Administrator, is an engineer before he is a politician.

At the moment a great many of the men working for the Bureau of Public Roads have been working for it for at least 25 years. I never saw so many old men as I did one time at San Antonio when all those who had been working for the Bureau of Public Roads for 25 years or more were asked to stand. They constituted the great bulk of the members of the convention of the American Roadbuilders.

Mr. O'MAHONEY. Mr. President, I have on criticism at all of Mr. Tallamy, or of Mr. MacDonald, who no longer is a member of the Bureau of Public Roads. I am not making a personal argument. I am merely trying to determine upon whom rests the power to make the decision.

From what the Senator from Tennessee has said, I understand that the State must make the initial application for a project.

Mr. CHAVEZ. That is correct.

Mr. O'MAHONEY. Then the application comes to the Bureau of Public Roads and the Secretary of Commerce, and there it is reviewed. If it does not meet certain geometrical standards which the Bureau of Public Roads lays down, and if it does not meet what they believe to be the requirements of 1975, then the Secretary may deny the application or may require a modification of it. Is that true?

Mr. GORE. That is true. They will be, should be, and are disapproved for inadequacy or because they may be too grandiose.

Mr. CHAVEZ. That is correct.

Mr. O'MAHONEY. If the responsible citizens of a State believe such a project is too grandiose or is inadequate, may they make an appeal to their State commission?

Mr. CHAVEZ. They may do so.

Mr. O'MAHONEY. And also to the authorities in Washington?

Mr. GORE. Yes; indeed. In fact, the 1956 act specifically provides that any organized community, municipality, or county can have a public hearing on the location and design of a highway merely for the asking.

Mr. CHAVEZ. That is correct.

Mr. GORE. In fact, the law requires that when a State submits an application for approval of a project and for obligation of funds for construction of the project, the State must certify that an opportunity for public hearings has been afforded to the citizens of any community which is bypassed by the proposed highway or which the highway is to pass through.

Mr. O'MAHONEY. I should like to ask the Senator from Tennessee another question: Is it a fact that the cost of the projects which will be built under the bill the Senator is now explaining has already exceeded the trust fund which was established by means of the original act, and that additional appropriations—over and above the trust fund—will be necessary in order to have the contemplated roads built?

Mr. GORE. I do not believe I can categorically give an affirmative answer to that question. The more correct answer would be that the cost for the construction of the system in the early years of the construction period exceeds the availability of funds in the trust funds for those early years. I cannot say that the revenue from the highway-user taxes which are by present law dedicated to the highway trust fund will not be sufficient, over the funding period, to meet the cost of constructing the program. It is the limitation on the amount



which can be apportioned to the States which now makes it necessary either to appropriate more funds to the trust fund or to suspend this limitation temporarily.

Mr. O'MAHONEY. Mr. President, the Senator from Tennessee has given a very clear answer, and I think I understand it.

Let me ask this additional question: Is it not a fact that because of the conditions the Senator from Tennessee has described, it has been necessary for the Department of Commerce to request independent appropriations—over and above the trust fund—for the next fiscal year?

Mr. GORE. I thought it would have been advisable, and I thought that a prudent regard for keeping our interstate highway program underway would have indicated that such a recommendation would be made. But the fact is that the budget submitted by the President to the Congress did not contain such a recommendation.

I should say that since the committee has held its hearings on the subject, the administration has come forward with a recommendation that the limiting features of the funding provision of the 1956 act be suspended. So the answer to the question is "No" with respect to the budget; but the answer to the question is "Yes" with respect to subsequent action which was taken 10 days or more ago.

Mr. O'MAHONEY. Has any action been taken upon that recommendation?

Mr. GORE. The pending bill constitutes the committee's recommendation to the Senate for action, partly in response to the administration's recommendation, and partly upon the initiation of the committee itself.

Mr. O'MAHONEY. Would it be proper to say that the committee bill will result in making possible appropriations over and above the trust fund?

Mr. CHAVEZ. Mr. President, will the Senator from Tennessee yield to me?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Tennessee yield to the Senator from New Mexico?

Mr. GORE. I yield.

Mr. CHAVEZ. Mr. President, after the introduction of the bill hearings were held by the Public Works Committee. In those hearings the matter was developed. After the committee began the public hearings, the Bureau of the Budget made its recommendation.

Mr. O'MAHONEY. I should like to ask one more question, and then I shall be through. I am very grateful to the Senator for his patience. His answers have been most helpful.

Mr. GORE. I thank the Senator from Wyoming.

Mr. O'MAHONEY. Of course I know that an amendment which has been proposed will refer to the States the power to decide where and how billboards may be erected along the interstate highways.

Mr. GORE. No such amendment would be necessary, because the bill in no way proposes Federal regulation and in no way proposes to infringe upon the freedom of the States to act or to decline to act in that regard.

Mr. O'MAHONEY. Has not such an amendment been proposed? I understood that the Senator from New Mexico [Mr. CHAVEZ], the chairman of the Public Works Committee, and the Senator from Oklahoma [Mr. KERR] had an amendment with respect to billboards, and that they desired to submit the amendment to the bill.

Mr. GORE. They have an amendment, but I think the able junior Senator from Wyoming may have—

Mr. O'MAHONEY. Perhaps I misunderstand the amendment.

Mr. GORE. Certainly much misinformation regarding the billboard provisions of the bill has been sent out to the country.

Mr. O'MAHONEY. Therefore I now turn to the chief authority for information.

Mr. GORE. A little later in my speech I had intended to explain the matter in some detail. However, at this time I shall be happy to respond to the inquiry which my able friend, the Senator from Wyoming, has made.

No Federal regulation of outdoor advertising is proposed by the pending bill. What does the bill propose? It proposes to aid the States and provide incentives for States which undertake, and satisfactorily accomplish, regulation of outdoor advertising along and adjacent to the rights-of-way of the Interstate System. States are left free to initiate such regulation, either by the purchase of the advertising easements or by the exercise of the police power of the States, as the States may please.

There is, let me repeat, no Federal regulation of outdoor advertising proposed in the pending bill. What is proposed is, first, authority and direction to the Secretary of Commerce to propose standards which, in his opinion, and consistent with the policy outlined in the bill, would promote the safety of highway traffic and the preservation of historical monuments and beauty of the landscape. If the States agree to comply with those standards, financial aid in accomplishing this objective is provided, and financial incentives for doing so are provided in the bill.

Mr. O'MAHONEY. I had in mind an amendment which I thought was to be proposed by the junior Senator from Oregon [Mr. NEUBERGER].

Mr. GORE. The amendment in the bill is coauthored by the junior Senator from Oregon and the junior Senator from California [Mr. KUCHEL]. The provision, section 12, was not in the highway bill as I introduced it. An amendment was proposed jointly by the junior Senator from Oregon and the junior Senator from California, which was adopted by a vote of 7 to 6 in the full committee.

Mr. O'MAHONEY. Mr. President, the Senator has indulged me very generously. I have taken a great deal of his time. My information has been clarified by the answers he has given to my questions. I shall take the copy of the bill which is on my desk and examine the text of the provision to which he has referred. I am very grateful to him for his helpfulness.

Mr. GORE. The Senator pays me a high compliment.

Mr. O'MAHONEY. I know of no better exponent of wise legislation than the junior Senator from Tennessee.

Mr. GORE. The Senator adds to his generosity. The purpose of debate in the Senate should be the imparting of information regarding proposed legislation and the subject matter with which it deals, and if the junior Senator from Tennessee can in a small way contribute to the great store of information of the distinguished junior Senator from Wyoming, then he is satisfied and compensated.

Mr. President, the Bureau of Roads has advised the Committee on Public Works that, on the basis of contracts awarded through February of this year, actual construction costs on the Interstate System are running about 7 percent below the estimates presented to the Congress in January 1958. In the light of this evidence, the committee has deferred recommending an increase in the authorizations for the latter years of the program, pending further evaluation of the cost estimates recently submitted to the Congress and further opportunity to compare these cost estimates with actual construction estimates covering a more extended period of time.

In view of the trend toward actual costs falling below the most recent estimates, the committee feels that the construction rate authorized in the pending bill through fiscal 1961 will be sufficiently rapid to permit construction of the system within the originally scheduled period. I believe it fair to say that the committee was unanimous in its view that the original 13-year schedule should be adhered to. I think it is fair to say also that the committee was advised that the administration, upon further consideration, desired to adhere to the original 13-year schedule. We of the committee believe that the bill presented will, within the next 3 years, as I said, permit a construction program sufficient to permit the completion of the system in the originally scheduled period.

The committee will continue its study of the overall cost of the program, and will recommend to the Senate such increases in authorizations for 1962 through 1969 as may appear necessary on the basis of committee study.

The act of 1956 provides that, beginning with fiscal year 1960, funds authorized for the Interstate System shall be apportioned to the States on the basis of estimates of cost. The act directs that each State shall be apportioned that percentage of the total funds made available which the estimate of the cost of completing the Interstate System within its borders bears to the estimated cost of completing the system in all States. The act further provides, however, that estimates which the Secretary of Commerce is directed to submit to the Congress, having originally been submitted to him by the States, shall not be used as a basis of apportionment until they shall have been approved for



such apportionment by a concurrent resolution of the Congress.

In accordance with the directive in the 1956 act, the Secretary of Commerce submitted cost estimates to the Congress in January of this year, and requested that they be approved as a basis for making apportionments of Interstate funds for the years 1960, 1961, and 1962. The committee is now engaged in studying these estimates and has requested the assistance of the General Accounting Office for this purpose. The Comptroller General has been asked to examine the estimates as submitted for certain States, selected by him, and to advise the committee of his conclusions as to the validity of these estimates from the standpoint of uniformity, and otherwise, for the purpose of their use as an apportionment of formula. Because of the complexity of this task, the Comptroller General will be unable to report to the committee until next month. Thereafter, the committee itself will devote intensive study to these estimates and to the report of the Comptroller General, not only from the standpoint of the use of these estimates as an apportionment formula, but also from the standpoint of their validity as a basis for financing the overall cost of the interstate program.

We must, it seems to me, Mr. President, accomplish at a reasonably uniform rate the construction of a system of interstate highways throughout the 48 States adequate to meet the pattern of traffic anticipated for 1975. We must also be conscious of the necessity for equity in the distribution of Federal funds to the respective States, consonant with the needs of the States to complete the portions of the Interstate System located within their borders according to a uniform schedule and program.

In order to insure that the availability of interstate funds for fiscal 1960 would not be delayed by the committee's further study of these estimates, the bill before the Senate authorizes their approval as a basis of apportionment of interstate funds for the year 1960 only. This provision will permit the prompt apportionment of the funds authorized for fiscal 1960 and will enable the several States to learn immediately the amount of interstate funds which will be available for that fiscal year, so that they may plan accordingly. The committee hopes to take further action with reference to this matter, as it may affect the apportionments for 1961 and 1962, prior to the adjournment of the present session of Congress.

Mr. President, the improvement of our primary, secondary, and urban roads is, in the opinion of the committee, of equal importance to the construction of interstate highways. The primary, secondary, and urban roads are the feeder arteries for the Interstate System and they continue to carry by far the greater portion of our highway traffic. In the opinion of the committee, these roads also must be improved as rapidly as is practicable in order that local traffic needs not be neglected at the expense of interstate movements. The bill before the Senate contains the regular author-

izations for primary, secondary, and urban roads for the years 1960 and 1961 in the amount of \$900 million for each year. These amounts are \$25 million higher than the amount previously authorized for fiscal 1959. The division of these funds between the three systems, the formula of apportionment among the States, and the traditional 50-50 matching requirements remain unchanged.

The committee has also recommended in the bill a special supplemental authorization for primary, secondary, and urban roads for fiscal 1959, in the amount of \$400 million. This sum will be apportioned to the States immediately upon the enactment of the pending bill in such manner as to bring about an acceleration of highway construction in the months immediately ahead, thereby contributing directly to the alleviation of unemployment in every sector of the United States. Advance engineering and design requirements for primary, secondary, and urban roads are less time consuming than for projects on the Interstate System. The States have reported to the committee that they are in a position to place additional contracts on primary, secondary, and urban roads almost immediately, if funds are made available. It is made clear in the bill that this special authorization is to be used by the States for additional construction projects over and above those financed by regular apportionments.

In order to emphasize that this \$400 million authorization is to be used so as to provide additional employment opportunities as rapidly as possible, the bill provides that these funds must be obligated no later than December 1, 1958, under contracts which provide for completion of construction of said projects no later than December 1, 1959. States which fail to so obligate their share of this special authorization within the time limit set forth in the bill will lose it, the apportionment will lapse.

In connection with this special authorization, the committee recognized that most of the State legislatures will not be in session this year, after the enactment of the bill. Many States will, therefore, not be in a position to supplement materially the funds already available to their highway departments for use in matching Federal funds. For this reason, this special authorization is made available to the States on more liberal terms than are those applicable to the regular authorizations.

The committee provided the liberal terms for an additional reason, believing it was in the national interest to stimulate the economy and provide additional employment opportunities. We felt this matter was of national concern.

The Federal share of the cost of projects financed with these funds is increased from 50 to 70 percent, with the States share reduced from 50 to 30 percent.

As a further means of assisting the States in acquiring State funds for matching purposes, and this facilitating the early obligation of these special funds, the bill authorizes for those States which so request it a further increase in

the Federal share equal to two-thirds of the States' share of the cost of any project financed under the supplemental 1959 authorization. This additional increase shall not be in the nature of an ordinary apportionment but shall be in the nature of a temporary advance to the State, and any amounts so advanced are to be reimbursed to the Federal Government by deductions from apportionments regularly made to the States for primary, secondary, and urban roads for the fiscal years 1961 and 1962. The several States are given wide discretion in the application of this \$400 million fund as between the primary, secondary, and urban projects, and, in fact, may elect to apply these funds to projects on either of these systems at the discretion of the States.

The committee is convinced that this particular section of the bill will be extremely beneficial as an economic stimulant and that additional job opportunities will quickly be made available by obligation of this special authorization. It is expected that construction work financed by this special authorization will be well underway within 60 days after enactment of the bill.

I have previously referred to certain limitations and restrictions in the law which the Secretary of Commerce has indicated will prevent him from making apportionments for fiscal 1960 in the amounts and at the times contemplated by law. Unless these restrictions are suspended, or unless additional revenue is dedicated to the trust fund, or unless additional appropriations are made, we shall face a slowdown in construction activity at the very time the public interest requires an acceleration. Accordingly, the bill before the Senate provides for the suspension of these restrictions insofar as funds herein authorized for fiscal years 1959 and 1960 are concerned. The committee will also study this problem further, and expects to make an additional recommendation relative to these restriction for years subsequent to fiscal 1960.

Mr. President, S. 3414 also authorizes appropriations for the construction of forest highways, forest development roads and trails, roads and trails in national parks, parkways, roads on Indian reservations, and for other public lands highways, for fiscal years 1960 and 1961.

Mr. CHURCH. Mr. President, will the Senator yield to me? I am sorry to interrupt this excellent address a second time.

Mr. GORE. The Senator is welcome to propound any question he desires, or to make any comment he wishes. Either will be a contribution.

Mr. CHURCH. I thank the Senator.

I note that the Senator has referred to that particular provision in the bill which relates to public lands highways for the fiscal years 1960 and 1961. I invite the Senator's attention to the fact that in December of last year he presided over a hearing which took place in Lewiston, Idaho, which concerned one such highway, which qualifies for money under the public lands highways pro-



vision of the bill. It is a highway of great importance to my State, and also to the entire economy of the Northwest. I refer, of course, to the Lewis and Clark highway, as the Senator may recall.

Mr. GORE. It was a pleasure to hold the hearings, and to visit in the great States of Oregon, Washington, Idaho, and Montana, and to have the distinguished junior Senator from Idaho participating in the hearings.

Mr. CHURCH. I thank the Senator. I should like to have him know that his generosity in coming to Idaho, and the time he spent in examining the merits of the case for building the Lewis and Clark Highway earned him the gratitude and appreciation of the people of my State.

In this connection, I should like to ask the Senator if the action of the Public Roads Subcommittee in increasing the appropriation for public lands highways from \$2 million to \$4 million for the fiscal years 1960 and 1961 was not taken with the view in mind of applying the additional money to the acceleration and completion of this vital Lewis and Clark Highway?

Mr. GORE. Such action was not only taken with the purpose and intent that the additional apportionment should be applied toward the completion of the Lewis and Clark Highway, but to a large extent it was taken in consequence of the efforts and the eloquent plea of the distinguished junior Senator from Idaho, who is a member of the committee.

Mr. CHURCH. I thank the Senator very much.

Mr. GORE. And at the request of every Senator from the great northwest-ern section of the country.

Mr. CHURCH. Mr. President, will the Senator further yield?

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Does the Senator from Tennessee yield to the Senator from Idaho?

Mr. GORE. I yield.

Mr. CHURCH. I am very appreciative of the fact that the Senator has placed emphasis—as it should be placed—upon the unanimity of view on the part of all the Senators from the Northwest, regardless of party, because there is general appreciation of the fact that the completion of this highway, which now lacks only 13½ miles, will not only provide a third and most direct route through the Northwest to the Pacific Coast, but will also commemorate a feat of real historic significance, because the highway follows the course taken by Lewis and Clark in the original exploration and discovery of the Northwest, which has meant so much to the building of our country. Once this highway is completed, it will be marked by Americans in all parts of the country as a highway of peculiar historical significance, and I am sure it will be traveled by all those who have a love for American history and wish to follow the course taken by that illustrious party, Lewis and Clark, when they opened up and laid claim to the Northwest for the United States in the time of Thomas Jefferson.

Mr. GORE. I hope that will be the result. It is my purpose to cooperate

fully with the effort of the junior Senator from Idaho, the senior Senator from Idaho, and every other Senator from the Northwest in bringing about the early completion of this highway.

Speaking of its historical value, I note with appreciation the presence in the Chamber at the moment of the distinguished junior Senator from Oregon [Mr. NEUBERGER], who has written extensively on the feats of Lewis and Clark, and the distinguished senior Senator from Illinois [Mr. DOUGLAS], who is recognized as an outstanding scholar and historian. They will surely vouch for the historic importance, as well as the economic importance, of the development and completion of this natural northwestern passage.

The 13½ miles remaining unconstructed are in the Lolo Pass through the Bitter Root Mountains. The highway is constructed from Missoula westward, and from Lewiston eastward, but the 13½-mile gap prevents tourists—men and women from all over the United States—from traversing this famous trail. It has historic importance and economic importance; and I am happy to join with Senators from the Northwest in urging its early completion.

(At this point Mr. GORE yielded to Mr. BUSH, whose remarks appear in the RECORD following Mr. GORE's speech.)

(Mr. GORE also yielded to Mr. JOHNSON of Texas for the consideration of the conference report on House bill 10881, the second supplemental appropriation bill, on which debate ensued, all of which appears in the RECORD following the remarks of Mr. BUSH above referred to.)

Mr. GORE. Mr. President, the sums authorized for some of these categories are increased above present levels in order to meet partially the need for improvement of public-land highways. The bill contains provisions making certain adjustments in the apportionment of forest-highway funds, directing further study of factors affecting apportionment of these funds, and making other minor changes in substantive provisions controlling the use of funds authorized for expenditure on roads and highways lying wholly within Federal lands. These changes are fully explained in the report which has been printed and is available to the Senate.

Section 10 of the bill authorizes the Secretary of Commerce, when making payments to the States on account of construction work in progress, to include reimbursement to the States for the cost of materials stockpiled adjacent to the right-of-way. Under present law, progress payments cannot include the cost of materials until they are actually incorporated into the highway. This imposes a burden upon the States and/or the contractors who are forced to finance the cost of these materials, in some instances for considerable periods of time. Inclusion of this provision in the bill was advocated by the Secretary of Commerce and the senior Senator from Wyoming and other Senators who urged its passage.

Mr. NEUBERGER. Mr. President, will the Senator from Tennessee yield to me?

The PRESIDING OFFICER (Mr. COTTON in the chair). Does the Senator from Tennessee yield to the Senator from Oregon?

Mr. GORE. I yield.

Mr. NEUBERGER. Because the able Senator from Tennessee has been discussing the various provisions of the bill which make apportionments with respect to forest highways, forest-development roads and trails and public-land roads, I should like to ask him several questions.

First, I want to point out what a privilege it is to serve on the Subcommittee on Roads and Highways under the chairmanship of the Senator from Tennessee. Just as Johnny Appleseed scattered apples, the Senator from Tennessee builds roads. I doubt that anyone else in the modern history of the Congress has successfully handled as much authorization legislation which has been so important to the roads and highways network of the country as has the Senator from Tennessee.

Mr. GORE. Mr. President, I appreciate the generous remarks of my distinguished and close friend, the junior Senator from Oregon. But I should like to know which Senator, if any, is properly identified as Johnny Appleseed. [Laughter.]

Mr. NEUBERGER. I was making an allegorical reference, and was attempting to point out that the junior Senator from Tennessee is as prolific with roads as Johnny Appleseed was with apples; and that is very prolific, indeed.

Mr. GORE. I am glad to know that the Senator from Tennessee was not describing any Member of the Senate in that way, and that no Member of the Senate is properly described in that fashion.

Mr. NEUBERGER. I am particularly interested in the forest-access roads, which are so important to the Pacific Northwest in general, and to the State of Oregon, in particular. Oregon is the leading lumber-producing State. The stands of timber in the national forests have become of ever-increasing importance to the lumber industry, not only in the State of Oregon, but in the other Northwest States of Washington, Idaho, and Montana, and also in northern California, where there are great stands of timber stumpage which belong to the Federal Government.

To indicate to the Senator from Tennessee how crucially significant the national forest timber has become, I point out that, although in 1935 only 1 billion board-feet of timber were cut in the national forests, by 1956 the figure had increased to 7 billion board-feet, which brought to the Federal Government returns of approximately \$100 million. It is my understanding that, of the 7 billion board-feet harvested in 1956, 1 billion board-feet were cut in the State of Oregon.

However, in recent years the harvesting of this timber has been retarded by lack of access roads built into the forests by the Government. That is why we of the Pacific Northwest are so appreciative of the fact that the Senator from Tennessee cut short his Christmas



holidays with his own family, in order to come to communities such as Portland, Oreg.; Lewiston, Idaho; Missoula, Mont.; and other communities in the Western States, to hold with us hearings which were so important in regard to the network of roads into the national forests.

It is my understanding that by means of Senate bill 3414, which has been reported by the Senator from New Mexico to the Senate, the authorization for forest-access roads and highways is increased from \$27,000,000 annually, as at present, to \$34,000,000, or an overall gain of a little more than 25 percent. Is that correct?

Mr. GORE. That is correct. It can be found on page 12 of the bill, in line 14.

Mr. NEUBERGER. The Senator from Tennessee presided over the hearings which were held by him and his colleagues in the Northwest, and he heard the testimony of trained, technical foresters of the United States Forest Service and of leaders in the lumber industry. Is it his opinion, after having heard such testimony, that the increase the bill makes in the funds and program for forest-access roads is fully justified and merited?

Mr. GORE. If I have any doubt about it, it is about the adequacy of the amount, rather than the justification for it.

During the hearings which it was my pleasure, in company with the junior Senator from Oregon [Mr. NEUBERGER], to conduct in the Northwestern States, I was greatly impressed by the knowledge and information which were obtained, particularly by me. Of course the junior Senator from Oregon was already fully aware of the questions which were considered.

The loss to the Nation as a result of overripe timber land, and the consequent cutting of immature timber in more accessible areas, is almost beyond calculation. When one flies over the great forest lands in the Northwest and sees the vast areas of virgin timber which are deteriorating for want of access, and when one realizes that in many other parts of the country immature timber is being harvested, one appreciates the importance of access roads. That point appealed to me very greatly.

That is why I say that if I have doubts about this amount, it is about its adequacy, rather than the justification for it.

Mr. NEUBERGER. Naturally, those of us who come from the Pacific Northwest—and I know I speak not only for myself, but also for the distinguished junior Senator from Idaho [Mr. CHURCH], who now is on the floor, and also for the distinguished junior Senator from Colorado [Mr. CARROLL]—would like to see a larger appropriation authorized.

It is my understanding that the junior Senator from Montana [Mr. MANSFIELD] hopes to sponsor an amendment to have the amount increased to \$40 million during the next fiscal year. I support his proposal.

But I should like to have the Senator from Tennessee know how much we ap-

preciate his leadership in bringing about an increase of more than 25 percent—from \$27 million to \$34 million, as is done in his bill.

In recent weeks we have heard much about the importance of husbanding our natural resources as we face the grim rivalry of the Soviet Union, in terms of production in the future.

We heard the Senator from Louisiana [Mr. ELLENDER] describe vividly the journey he made last fall to the Soviet Union, and tell of the virtually unlimited forests which stretch across Siberia—forests so vast in their expanse that one must travel for days and days on the Trans-Siberian railroad in order to pass through them.

That is why I believe it is so important that the Senator from Tennessee has brought out a bill which will enable the foresters of the National Forest Service to harvest the valuable fir, pine, hemlock, cedar, and other timber in the national forests before it becomes so overripe that it no longer will be useful for lumber or for sawmill production in the future.

For example, I believe there was testimony that in 1957, in 193 national forest working circles, less than 70 percent of the full allowable timber cut was harvested. This was a waste. In 1957, so the Forest Service told us, on a nationwide basis it could cut only 70 percent of the 10 billion board-feet which these forests can contribute to the national economy. That is due in very substantial measure to the lack of adequate forest-access roads.

So I wish to thank the able Senator from Tennessee for his solicitude and interest in our region of the Pacific Northwest.

Of course, I share his keen interest in all the other provisions of the bill—in those pertaining to the acceleration of construction of the Interstate Highway System, and of the ABC roads, and of other roads which are nationwide in character.

But I am particularly grateful to him for being permitted to advance in committee, under his leadership, the provision to increase to \$34 million the forest-access roads authorization. I know that I speak for other Senators from the Pacific Northwest, which is the great lumber-producing region of the Nation, when again I express to the Senate from Tennessee our gratitude for the time he has spent and for the patience and diligence he has shown in his consideration of the special problems of our areas.

Mr. GORE. I am most grateful for the generous words and sentiments of my able colleague and neighbor in the back row. We have been sitting side by side for days and months, working together in the Senate, and working together in the Public Works Committee. I am convinced that failure to provide adequate access roads, into our national forests has resulted in an economic loss. It has resulted in loss of great natural resources, on the one hand, and on the other hand, the immature harvesting of resources which would become better with the passage of time. As the able Senator knows, in several places where

we held hearings, our committee was advised that at least 50 percent more timber could be cut and marketed without any long-term diminution of the country's natural resources of timber.

Mr. NEUBERGER. There is no question about that; and I believe it is of equal significance that only a few days ago the Senate Appropriations Committee had testimony from Mr. Edward Cliff, assistant chief of the United States Forest Service, to the effect that, where forest access roads are built, they more than amortize themselves in returning extra funds to the Treasury, because they permit additional competitive bidding on Federal stumpage, which results in much higher prices received for that timber when it is sold on the open market.

Mr. GORE. For the very good reason that if contractors, or bidders for contracts, must build 25 or 50 miles of highway in order to gain access to the tract of timber upon which they are submitting bids, only a few bidders are likely to be found. The small timber man, the gippo, cannot bid on large tracts of timber, when he must bear the great cost of building a long access highway.

Mr. NEUBERGER. The Senator from Tennessee, in addition to being an exponent of adequate roads, is likewise a foe of monopoly. When the Government does not build access roads into the national forest timber stands, look what happens. Only the very largest timber monopolies then can build roads with private capital. That means there is only one bidder on timber which belongs to all the American people. The small lumber and sawmill operators, often the ones who live in the particular area, in Oregon, Washington, Montana, or whatever the State may be where the timber is being harvested, cannot bid. Therefore, when the Government builds access roads to the forests, they not only bring higher prices to the Government as a result of higher prices paid for timber stumpage, but also encourage the good old American system of aiding free enterprise in the open market.

Mr. GORE. I agree with the Senator fully.

Mr. NEUBERGER. I thank the Senator again for his great cooperation.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. GORE. I yield to the junior Senator from Colorado.

Mr. CARROLL. The junior Senator from Tennessee knows the very high regard I have for his leadership and his competence, not only in the field of Federal highway construction, but his ability and leadership in all problems which come before the Senate.

Mr. GORE. The Senator is overly generous. His generosity and friendship arise out of our long and pleasant association as Members of the other body of the Congress.

Mr. CARROLL. The distinguished junior Senator from Tennessee knows I was one of the first Members of this body to associate myself with the excellent work he is doing and I am happy to have been associated with him on this important bill.



Mr. GORE. I recall the able junior Senator from Colorado was the first Senator to ask that his name be included as a cosponsor of the pending bill.

Mr. CARROLL. I may say to the distinguished junior Senator from Tennessee I find myself today in a position where I must question the able Senator about the equity in one section of this bill. I am reading from page 20 of the report, the second paragraph; this section concerns forest highways:

The committee was concerned about this change in apportionment formula by the Secretaries without consultation with State or local officials, or Members of the Congress.

That language is followed by a sentence which I think is significant:

It would be difficult to adjust the apportionments already made for fiscal year 1959, and the committee recommends approval of such apportionments.

I should like to invite the attention of the able junior Senator from Tennessee to the predicament in which the State of Colorado finds itself as a result of this new formula and the resultant apportionment in the fiscal year 1959.

I observe that, as a result of the change in formula, the State of Colorado will lose the largest amount of any State in the forest-highway program.

Because of the reevaluation of the great national forests in our area, Colorado will lose under the 1959 formula \$313,000, which is 15 percent of the amount that Colorado would have been entitled to under the formula used in 1958.

I believe the new formula was initiated in November 1958 by the Department of Commerce, to be effective in connection with 1959 forest-highway apportionments.

I wish to point out that under this new formula in fiscal 1959 Arizona will lose \$148,000; California, \$193,000; Colorado, \$313,000; Idaho, \$172,000; Montana, \$143,000; Wyoming, \$158,000. Other States will also lose in 1959, but Colorado will be the principal loser.

It is my understanding that, in connection with the sentence I have just read from the report, it would be difficult to adjust the apportionments already made for the fiscal year 1959. Would not the difficulty in adjusting the apportionments affect those States that have received an increase?

As I study the committee report I note that there is involved a loss to 19 States and Territories under the 1959 formula of about \$1½ million. By virtue of the new formula, some States will have their apportionments increased, and other States will have their apportionments decreased, by approximately \$1½ million.

I observe that the report shows that the \$1½ million loss will obtain only in 1959, and will not obtain in 1960 or in 1961, under the bill, because the formulas in those years reverts to the 1958 formula.

I ask for no commitment at this time. And I might say I shall support the amendment offered by the distinguished Senator from Montana [Mr. MANSFIELD], which provides an additional authorization of \$10 million for 1959. The au-

thorization of \$10 million will correct certain of the inequities suffered by the group of States to which I have referred, and will increase appropriations needed for the continuation of the building of forest highways.

But if the Mansfield amendment should fail to be adopted, it seems to me that under the doctrine of equity, without taking a dime away from another State and without changing a dollar in the formula, Congress could provide a minor sum of money with which to equalize the appropriations heretofore given to the States. That would constitute no great loss to the Government and most important of all would prevent any interference with the pending forest highway program.

My own estimate of the situation today—and I have been talking with experts from the subcommittee which operates under the leadership of the distinguished junior Senator from Tennessee—is that it would not cost more than \$1.5 million to assure in the fiscal year 1959 the equality to which we think we are entitled.

Mr. GORE. Does the Senator mean, when he speaks of equality, the provision of an apportionment to each State for the fiscal year 1959 equal to the apportionment for fiscal year 1958?

Mr. CARROLL. The Senator is exactly correct. I ask for no commitment. I do not know whether the subject has been considered by the committee.

Mr. GORE. It was considered by the committee. In fact, the subcommittee held hearings in several places in the West on this subject. The subcommittee found it to be a particularly vexatious problem.

Insofar as the fiscal year 1959 is concerned, we were faced not with a theory or a recommendation for our consideration, but instead with a fait accompli. The Department of Commerce and the Department of Agriculture had jointly, as the report to which the Senator referred states, without reference to the Congress or the committee, made a revision of the apportionment formula. If the able Senator will read the hearings, he will find that the chairman of the subcommittee reproached the officials for taking such arbitrary action without consultation with the committee having jurisdiction.

Mr. CARROLL. I have read the record, and I commend the Senator for his strong position.

Mr. GORE. I thank the Senator.

The fact is, though, the apportionment had been made. It is difficult to correct the error, if it be an error. It is difficult to undo that which has been done. Therefore, what the committee recommends is that there be not taken from one State the funds which have already been apportioned to it, and which have perhaps been obligated, in order to add to the amount given the other States which have suffered a reduction.

Mr. CARROLL. Mr. President, will the Senator yield at that point?

Mr. GORE. I shall be glad to yield in a moment.

We recommend the acceptance of the 1959 apportionment because of the dif-

ficulty of undoing what has been done. We recommend, however, that in fiscal years 1960 and 1961 each State shall receive the same percentage of available funds as it received in fiscal 1958.

I recognize very well there is no justification, so far as I can find, for an actual reduction in the amounts made available for such purpose to Montana, to Colorado, or to other States which have suffered reductions for fiscal year 1959. Therefore, the committee has recommended a restoration of prior percentages for the following fiscal years, for which apportionments are authorized under the bill.

As I understand, the Senator from Colorado requests consideration of an amendment or a suggestion that additional funds be authorized for apportionment for fiscal year 1959, so as to give each State an amount equal to the amounts which that State received in fiscal year 1958?

Mr. CARROLL. We do not wish to disturb apportionments to other States which have received an increase.

Mr. GORE. In other words, the Senator does not propose to take anything away from the States to which apportionments have been made?

Mr. CARROLL. That is correct. In other words, we feel that the States probably have taken action under the new formula. Perhaps the State highway departments in certain States have proceeded on the assumption that the apportionment was definite, and to make a change might create some administrative difficulty. Therefore, we are not asking that any funds be withdrawn from any State, but we ask that there be restored to States which have suffered reductions at least a proper allocation, which we ought to be able to live with until 1960 or 1961.

Giving full credit to the able junior Senator from Tennessee for not only restoring but increasing the very important forest-highway program for 1960 and 1961, compared to the old formula for fiscal year 1958, we feel that is desirable.

Mr. GORE. I think the Senator has made a meritorious suggestion. If the Senator will prepare such an amendment I shall be happy to confer with my colleagues on the committee about it. I recognize the effect on the program in those States which will in the next 12 months actually experience a reduction rather than an acceleration, which we have provided for fiscal years 1960 and 1961.

Mr. CARROLL. Exactly. I knew that the able junior Senator from Tennessee would recognize the merits and equity of the proposition. I ask for no commitment. I will prepare the amendment and submit it to the able junior Senator from Tennessee. I thank the Senator for permitting me to trespass on his time.

Mr. GORE. I thank the Senator.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. GORE. I yield to my distinguished friend, a colleague with whom I have served in both branches of Con-



gress, the distinguished junior Senator from New Hampshire.

Mr. COTTON. I thank the Senator.

I should like to ask the distinguished junior Senator from Tennessee one question; but before asking the question I wish, speaking as a Member of the minority of the Subcommittee on Roads of the Committee on Public Works, of which the Senator of Tennessee is the chairman, to say to him that again this year, as was true in past years, as chairman of the subcommittee the Senator from Tennessee has given a beautiful demonstration of how patient, fair, just, and considerate a chairman can be in conducting both the open hearings and the executive sessions, when frequently we had very knotty and difficult problems to consider, and oftentimes natural clashes of opinion.

Much of the credit for reporting to the Senate a constructive bill, with the general support of the Members of the subcommittee as to most of its provisions, is due to the fairness and the consideration of the distinguished Senator from Tennessee. As a Republican member of the subcommittee, I simply want the Senator to know I am sure we all appreciate his conduct.

Mr. GORE. Mr. President, I want deeply and genuinely to thank my friend, able Senator that he is, the junior Senator from New Hampshire, for his sentiments and his comments.

The pending bill bears the mark of the work and ability of the junior Senator from New Hampshire. Several amendments, involving substantial provisions of the bill, were offered by the junior Senator from New Hampshire and were adopted by the committee. Unfortunately he offered 1 or 2 which were not accepted, but most of the amendments which he proposed were adopted. It is a pleasure to work with the able Senator, and I thank him.

Mr. COTTON. I thank the Senator from Tennessee.

For the purpose of the legislative history of the bill I should like to discuss one point which I believe—if my memory serves me correctly—was fairly well understood in the committee, but which might not be immediately apparent. I can find no language in the bill or in the report which would make it wholly clear, though I may have misunderstood the language.

It is the recollection of the Senator from New Hampshire that the \$400 million authorized for a quick program with respect to the so-called ABC roads, as well as the additional \$200 million for fiscal 1959 for the Interstate System, at least, and some of the additional funds for fiscal 1960 and 1961 for the Interstate System, were to come from the moneys in the Treasury, and not from the trust fund. Is that assumption correct?

Mr. GORE. The funding provisions of the 1956 law which limit disbursements from the trust fund are temporarily set aside. The trust fund, therefore, will be called upon in the next two years for more funds than are now in the trust fund, or which could be reasonably anticipated to become a part of the trust fund by reason of the present taxes.

Therefore the trust fund must be replenished, either by appropriations by the Congress from the general fund to the trust fund, or by borrowing by the trust fund from the general fund upon anticipated future revenue coming into the trust fund for use during the following years. It seems to me that the money comes out of the same pocket, whichever of those two methods is used. The same Treasury must borrow from the same public for the purpose.

Mr. COTTON. According to my recollection, it was clearly understood in the discussions in the subcommittee—and I believe also in the full committee—that if the bill should become law, it would suspend the limitation on the trust fund, so that in the case of the Interstate System, money could be drawn ahead in order to keep the Interstate System up to schedule, in order that it could be scheduled to be completed in 13 years.

Mr. GORE. I think the recollection of the Senator is substantially correct, it not entirely correct. If the Senator will turn to page 6 of the bill, he will find, beginning in line 13, the following language:

There is hereby authorized to be appropriated the sum of \$900 million for the fiscal year ending June 30, 1960; and the sum of \$900 million for the fiscal year ending June 30, 1961.

I invite the Senator's attention to the specific words "there is hereby authorized to be appropriated." There is no prohibition against the sums being appropriated directly for this purpose, nor is there any prohibition against an appropriation being made directly to the trust fund. I think the Senator's recollection is substantially correct.

Mr. COTTON. I do not think there is any question between us as to the regular appropriations, both with respect to the interstate and the so-called ABC roads, namely, that eventually they would come from the trust funds, but they could be appropriated in advance, to keep the construction on schedule. Up to that point we are in perfect agreement.

I think the Senator from Tennessee will recall that the Senator from New Hampshire submitted an amendment which did not apply to the Interstate System, but provided for a special program for 1 year with respect to the ABC roads. The amendment was adopted to the extent of \$400 million, but \$200 million was diverted from the purpose of the original amendment of the Senator from New Hampshire, and put into the Interstate System.

It was the understanding of the Senator from New Hampshire—and I thought it was the understanding of the committee—that that particular emergency or special fund of \$400 million which was to go into the ABC system on different terms and on a temporary basis, to revert if it were not used within a short time, would be treated specially, and that it was not to be a charge on the trust fund, now or in the future, but would actually mean putting new money, aside from the trust fund, into the special program for ABC roads for 1 year.

Mr. GORE. If the Senator will look on page 8 of the bill, he will find, beginning on line 22, reference to the specific 1-year apportionment of \$400 million to the primary, secondary, and urban Federal-aid roads. The language is as follows:

For the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1959, \$400 million in addition to any sums heretofore authorized for such fiscal year.

So the Senator is correct, in that there is a supplementary authorization, regular in form, to be used on projects completed prior to December 1, 1959, and for which the Congress would have to make appropriations.

Mr. COTTON. I wished to make the record clear that it was the intent of the Senator from New Hampshire, who proposed the amendment carrying that special program, that it should not at any time be a charge on the trust fund, or be returned to the trust fund. It was the intent of the proposer of the amendment that this should be a special program, paid for separately, and administered as a special program, any funds not used to revert; and that it should not be used in any way to deplete the trust fund at any time, now or in the future.

I am still a little in the dark as to whether the language of the bill makes that clear, and I would like to have the judgment of the Senator from Tennessee, chairman of the subcommittee, on that particular point.

Mr. GORE. First let me say that the language in the bill is the ordinary appropriation-authorization language.

Mr. COTTON. I note that.

Mr. GORE. Unquestionably the objective which the able Senator has in mind can be accomplished. I do not find any prohibition in the bill against the Appropriations Committee recommending that the funds specially authorized be appropriated to the trust fund and be paid out of the trust fund, but I see no necessity for doing it in that way. It would involve additional bookkeeping. I see no necessity for Congress appropriating \$400 million from the general fund to the trust fund in order that it may be paid out of the trust fund for this purpose. It could be appropriated directly for this purpose in the first instance.

Mr. COTTON. In order to tie this point down—and I believe this is very important—do I understand correctly that the Senator from Tennessee, the chairman of the subcommittee, agrees with the Senator from New Hampshire that it was the intention of the committee that the \$400 million fund should not permanently be a charge on the trust fund?

Mr. GORE. I cannot say that I remember that being determined as the position of the subcommittee. It may have been. My memory may be faulty in that regard, but I cannot say that I remember it. It can be accomplished



in that way by the language of the bill.

Mr. COTTON. But it would have to be accomplished administratively, would it not?

Mr. GORE. No; by Congress.

Mr. COTTON. In order to make sure of that, would an amendment have to be submitted to the bill?

Mr. GORE. The Senator could make it a certainty either by an amendment or by seeing to it, when the appropriation of this sum is made, that it goes directly to the Department of Commerce, rather than to the trust fund.

Mr. COTTON. Unfortunately, the Senator from New Hampshire is not a member of the Committee on Appropriations, and he is not very confident that he could, in the euphonious words of the Senator from Tennessee, see to it that that was done.

I wish to establish, first, for legislative history, the intention. It is quite plain to me from the statement of the Senator from Tennessee—with his usual frankness and forthrightness—that it was not the fixed intention of the committee, although it was, I would say, the declared intention of the Senator from New Hampshire when he submitted his amendment.

Mr. GORE. It may have been of the full committee. My memory may be at fault.

Mr. COTTON. If we are to be certain that that be done, then sometime before the bill is passed, an amendment should be added to make that point clear. Is that correct?

Mr. GORE. If it be the desire of the Senate to make sure that the \$400 million will be appropriated directly, and not via the highway trust fund, then a single amendment at the proper place in line 1, 2, or 3, of page 9, stating "without reference to or effect upon the highway trust fund," or language of similar effect, would accomplish the Senator's purpose.

Mr. COTTON. If it is appropriated via the trust fund, as the Senator says, it would have to be put back into the trust fund eventually from somewhere. Is that correct?

Mr. GORE. Not if the funds were appropriated from the general revenue to the trust fund.

Mr. COTTON. To put it plainly, can the \$400 million, if it stays in the bill under the present language of the bill, be taken from the trust fund, without being replaced?

Mr. GORE. It cannot be taken from the trust fund without first having been placed in the trust fund by appropriation.

Mr. COTTON. By appropriation.

Mr. GORE. Yes.

Mr. COTTON. That is definite. So if that is correct, then the Senator from New Hampshire has little further apprehension, because it means that much of the \$400 million will immediately be put into circulation in connection with the ABC roads on which less is paid for engineering, less for planning, and less for rights-of-way, and where the money can immediately go into jobs and into construction, which is very important at this time. That is the intent of the Sen-

ator from New Hampshire, and, I am sure, of the members of the committee.

It was the purpose of the Senator from New Hampshire that that be a special fund and that it should not deplete the trust fund. I gather now, from what the Senator from Tennessee says, no matter how it is arranged, whether money for the special ABC authorization is appropriated and goes into the trust fund, or whether it is appropriated separately, it is to be covered by an appropriation, and cannot be permanently taken from the trust fund, to constitute a further drain on the trust fund.

Mr. GORE. It is possible, under the terms of the bill, for the trust fund to borrow from the general fund, which, it seems to me, would amount to the same thing in either instance, whether borrowed from the general fund or appropriated from the general fund. It would come out of the same pocket. If the Senator has a substantial doubt about it, if he will prepare a simple amendment, I shall be glad to confer with members of the subcommittee about it. I remember that the Senator expressed his views and intent in this regard. I do not recall that there was an expressed concert by the subcommittee on the point. If the Senator will submit an amendment, I shall undertake to get such concert.

Mr. COTTON. I thank the Senator.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Tennessee may yield, with the understanding that he will not lose the floor, so that I may suggest the absence of a quorum, and that, following the quorum call, I may propose a unanimous-consent request on behalf of the minority leader and myself.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask that the unanimous-consent agreement proposed by the distinguished minority leader and myself be read. I may say that it has been approved by all members of the Committee on Public Works on this side of the aisle.

The PRESIDING OFFICER. The clerk will read the proposed agreement.

The legislative clerk read as follows:

#### UNANIMOUS-CONSENT AGREEMENT

*Ordered*, That, effective on Wednesday, March 26, 1958, at the conclusion of routine morning business, during the further consideration of the bill S. 3414, the Federal-Aid Highway Act of 1958, debate shall be limited as follows:

Four hours on the so-called billboard amendment, and 3 hours on the utility amendment, to be equally divided and controlled as set forth in the case of other amendments set forth below.

Debate on any other amendment, motion, appeal, except a motion to lay on the table,

shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

*Ordered further*, That on the question of the final passage of the said bill debate shall be limited to 4 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. CASE of South Dakota. Mr. President, reserving the right to object, may I ask whether, under the clause relating to germaneness in the proposed unanimous-consent agreement, it would be in order to offer an amendment which would deal with title II of the Highway Act of 1956, which relates to revenue? I have in mind an amendment relating to title II of the Highway Act of 1956, which is entitled "Highway Revenue Act of 1956." I should like to have the right to offer that amendment.

Mr. JOHNSON of Texas. I should be glad to modify the unanimous-consent agreement to provide, if it is not now in the order, that an exception be made in this instance, and I so do.

Mr. CASE of South Dakota. I have no objection to the proposed agreement.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement, as modified?

Mr. KUCHEL. Mr. President, reserving the right to object, may I ask if, when the agreement refers to the billboard amendment, it refers specifically to the amendment designated "3-24-58-B" offered by the distinguished Senator from Oklahoma and other Senators?

Mr. JOHNSON of Texas. I think it is the amendment to strike out the billboard provisions of the bill.

Mr. JAVITS. Mr. President, reserving the right to object, will not the majority leader also ask unanimous consent to change the time for convening tomorrow morning from 10 o'clock to 10:30? A rather crucial meeting of the Committee on Rules and Administration is scheduled to begin at 10 o'clock, with the first item on the agenda to be the question of rule XXII, which was under debate for weeks. It will be disposed of in a half hour. If 10 o'clock is to be the hour fixed for the Senate to meet, it will kill the meeting.

Mr. JOHNSON of Texas. So far as I am concerned, it will not kill the meeting. If any member of the committee desires to ask unanimous consent tomorrow morning that the committee may meet, I shall not object. The Senate has already entered an order for the Senate to convene at 10 o'clock, and Senators have been notified all during the day of that fact.

One amendment to be considered will keep the Senate busy until 2:30 tomorrow afternoon before a vote will be taken.



So if the Senator from New York or any other member of his committee will ask unanimous consent that the committee may meet tomorrow morning, I shall offer no objection.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement, as modified? The Chair hears none; and the agreement, as modified, is entered.

The unanimous-consent agreement is modified as follows:

#### UNANIMOUS-CONSENT AGREEMENT

*Ordered*, That, effective on Wednesday, March 26, 1958, at the conclusion of routine morning business, during the further consideration of the bill S. 3414, the Federal-Aid Highway Act of 1958, debate shall be limited as follows:

Four hours on the so-called billboard amendment, and 3 hours on the utility amendment, to be equally divided and controlled as set forth in the case of other amendments set forth below.

Debate on any other amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment, except the amendment by Senator CASE of South Dakota to title II of the Highway Act of 1956, that is not germane to the provisions of the said bill shall be received.

*Ordered further*, That on the question of the final passage of the said bill debate shall be limited to 4 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. JOHNSON of Texas. Mr. President, I should like to call attention to the fact that any Senators who care to address themselves to the pending bill will have an opportunity to do so today, for as late as they may care to remain this evening.

I am not certain that all the time available under the unanimous-consent agreement will be used by both sides. I should like to have the secretary for the majority and the secretary for the minority keep all Senators advised of the situation, because it is our hope that a vote on the bill will be reached either late on Wednesday or early on Thursday.

Mr. GORE. Mr. President, section 11 of the bill amends section 111 of the Highway Act of 1956, which deals with reimbursement to the States for the cost of relocating utility facilities when such location is made necessary by construction projects on the Federal-aid highway systems. The present law authorizes the Federal Government to participate in such costs by reimbursing the State its pro rata share whenever the State shall have paid such costs. The committee took cognizance of the fact that since enactment of the act of 1956, a number of States have enacted legislation providing for the payment of such costs. A substantial majority of the

States which thus have acted have authorized the reimbursement only of the utility-relocation costs made necessary by construction projects on the Interstate System, where the Federal Government's pro rata share is 90 percent. The committee felt that this was a development contrary to the purposes for which section is a moderate provision which the committee proposes to amend section 111, the principal effect of the amendment being to restrict the amount payable by the Federal Government for utility relocation costs to not exceeding 70 percent of such costs as may have been paid by the States.

I come now, Mr. President, to a provision of the bill over which there was substantial controversy within the Public Works Committee. I refer to section 12, which is designed to encourage the several States to regulate the erection of signs and billboards in areas adjacent to the Interstate Highway System. This section is a moderate provision which will contribute to the safe and efficient movement of traffic over our interstate highways.

Section 12 of the bill is the one referred to in the large numbers of telegrams which Senators are receiving, and in which telegrams this section is referred to as section 122.

The purpose and the effect of section 12 have, in my opinion, been grossly misrepresented and much exaggerated. Most of those who have been interested in this problem insist that they are in favor of reasonable regulation of billboard advertising. Some, however, profess not to have been able to find a means of doing so which meets fully the criteria which they feel should be embodied in appropriate legislation. The Committee on Public Works has studied this problem intensively over an extended period of time. Lengthy hearings have been held. There has been prolonged discussion in executive session in which every member of the committee has participated in good faith.

I make no claim that the solution contained in section 12 of the bill is perfect. I do say, however, Mr. President, in all sincerity, that it constitutes a reasonable and a sensible approach that comes as near as possible to meeting the legitimate objections of those who may be interested in the outdoor-advertising business or who may be interested in using that advertising medium, while protecting the public interest in highway safety and in the preservation of scenic beauty and points of historical interest.

This section, Mr. President, does not prohibit outdoor advertising, although some seem to fear that it does. On the contrary, it merely provides aid and incentives for States to exercise reasonable regulation of outdoor advertising and other conservation measures under the terms of broad policy guidelines specified in the bill. This bill, Mr. President, does not provide for Federal regulation of billboards, as some have suggested that it does. Any regulation, other than for the segments of the Interstate System lying within federally owned lands, if accomplished at all, will be accomplished only by the several

States or by counties or municipalities of the several States, which will be free to regulate or not to regulate, as they may deem advisable.

Mr. LAUSCHE. Mr. President, will the Senator from Tennessee yield?

The PRESIDING OFFICER (Mr. CLARK in the chair). Does the Senator from Tennessee yield to the Senator from Ohio?

Mr. GORE. I yield.

Mr. LAUSCHE. I thank the Senator from Tennessee for yielding to me.

First, let me say to him that among the objectives of the State of Ohio, in connection with the construction of its turnpike, were the promotion of safety and the increase of the scenic beauty along the highway, by acquiring restrictive rights on adjacent property against the display of signs and other devices which would distract the attention of the motorist from fulfilling his proper responsibility in connection with the operation of his motor vehicle.

Mr. GORE. What does the law of the State of Ohio, to which the able Senator has referred, contemplate by the term restriction? It does not mean an absolute prohibition, does it?

Mr. LAUSCHE. No. Within a certain distance—which I cannot specify at this time—of the rights-of-way acquired, property owners transfer to the State their right to use the property for the erection of billboards. In my opinion that arrangement has proved highly successful, and has met with the approval of the traveling public.

Mr. GORE. Is that a restriction or a regulation? I believe that in the sense in which the Senator from Ohio has used the word restriction, it means a regulation for the control of the location of billboards or other outdoor advertising media.

Mr. LAUSCHE. That is correct.

Mr. GORE. Was that regulation accomplished in Ohio by the purchase of an advertising easement on the property, or was it accomplished by the use of the police power?

Mr. LAUSCHE. In connection with the acquisition of the right-of-way, as an incident to the transaction there was acquired from the property owner a relinquishment of his property right to have billboards erected on his land.

Mr. GORE. In other words, as the State of Ohio purchased the rights-of-way, it negotiated with the landowners for the purchase of the advertising easements on areas in addition to the rights-of-way acquired; is that correct?

Mr. LAUSCHE. That is correct.

Mr. GORE. As the Senator from Ohio knows, that is one of the ways by means of which outdoor advertising along the Interstate System can be controlled under the terms of the pending bill, in case States do thus acquire from the owners, and pay for, the advertising easements. In such cases, under the terms of the bill, the Federal Government will reimburse the States to the extent of 90 percent of the cost, provided it does not exceed five percent of the cost of the right-of-way.

Mr. LAUSCHE. Yes, I so understand.



I have some questions in regard to section 12. It is my understanding that section 12 provides for the payment—in part, by the Federal Government—of the cost of acquiring restrictive rights against the use of the property for billboard displays.

That section provides that the Secretary of Commerce—

Mr. GORE. From what line is the Senator from Ohio reading?

Mr. LAUSCHE. I shall state that in a moment.

It provides that the Secretary of Commerce may enter into agreements with the separate States for the carrying out of this policy.

Mr. GORE. That begins at the bottom of page 21.

Mr. LAUSCHE. Yes.

Beginning in line 15, on page 22, we find the following:

Any such agreement may, within the discretion of the Secretary of Commerce, consistent with the national policy, provide for excluding from application of the national standards segments of the Interstate System which traverse incorporated municipalities wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control, or which traverse other areas where the land use is clearly established by State law as industrial or commercial, or which are built on rights-of-way wholly acquired before July 1, 1956.

My query is, Does this language mean that the Secretary of Commerce, within his discretion, shall be able to exclude highways traversing a municipality, even though the municipality is desirous that such highways be included in the program?

Mr. GORE. I shall be glad to give the Senator my interpretation, but first I am glad to yield to one of the coauthors of the amendment, the junior Senator from California [Mr. KUCHEL].

Mr. LAUSCHE. What I have in mind is this: Let us assume a municipality says, "We want to be included in the provision excluding billboards and other attention-distracting devices," but the Secretary of Commerce says, "In my discretion, that should not be done." Would it be the judgment of the Secretary of Commerce that would be final in the matter?

Mr. KUCHEL. Mr. President, I should like to answer the Senator's question in this way: The constitutions of some of the States of the Union, as the able Senator well knows, contain what are called home-rule provisions, under which, where municipalities are organized and incorporated pursuant to State law, they have exclusive police-power jurisdiction; whereas, as the able Senator knows, in other States of the Union local communities are completely creatures of the State government.

It was the intention of the authors of the amendment to recognize that some States, through their State governments, would not have the State constitutional authority to speak for home-rule cities within their jurisdiction; but, to the contrary, where local municipalities were complete creatures of the State government, it was the intention of the authors of this amendment that the State, in accordance with what the able Sen-

ator from Ohio has in mind, if the State were speaking for all those municipalities, it could do so under the State's constitutional provisions. So in drafting this language to give the Secretary authority to place in the agreement with the State such exceptions as are herein enumerated, it was the intention of the authors, and of the entire committee, to develop on the Senate floor the intention to include every area that could be included.

Mr. LAUSCHE. That is, the situation would not then develop which would preclude a State, in the areas over which it did have control, from entering into an agreement with the Secretary of Commerce bringing the State within the provisions of this proposed law?

Mr. KUCHEL. The Senator is completely correct. In circumstances where the State government could speak for its municipalities without violating the provisions of the State constitution, it was the intention of the committee which approved the amendment that the State should so speak, and those areas should be included in the agreement.

Mr. KERR. Mr. President, will the Senator yield on that very point?

Mr. GORE. Yes; I yield.

Mr. KERR. I should like to say to the distinguished Senator from Ohio and the distinguished Senator from California that the statement of the intention which the Senator from California has so eloquently made was certainly the intention of the framers of the amendment. The Senator from California made a very eloquent speech on the floor when he submitted a proposal and stated that the provision was in the amendment. It is not in the bill now before the Senate. If the Senator will look at page 22 of the bill, beginning at line 15, he will find language which specifically provides—

Mr. LAUSCHE. May I interrupt?

Mr. KERR. Yes.

Mr. LAUSCHE. My concern is that the language contained in line 16 puts the discretion in the Secretary of Commerce, and it is silent concerning any discretionary power in the States.

Mr. KERR. The Senator is eminently correct. The language beginning at line 15, and going through line 24 on page 22, if this bill becomes law, insofar as it is capable of being carried out, will place the Secretary of Commerce, and him alone, the discretion to disregard any State zoning power, or municipal zoning power or authority, and leave solely in the discretion of the Secretary of Commerce the decision as to what the restriction shall be.

Mr. GORE. Mr. President, I invite attention to line 4, page 23 of the bill, which reads:

The Federal share payable on account of any project on the Interstate System within that State provided for by funds authorized under the provisions of section 108 of this Act, to which the national policy and the agreement apply, shall be increased by one-half of 1 percent of the total cost thereof, not including any additional cost that may be incurred in the carrying out of the agreement.

Therefore I point out, Mr. President, that the increased share payable to the

State by the Federal Government will not and cannot include such payment with respect to a section of the interstate highway which does not meet the national standards, and which is not covered by the agreement.

Mr. LAUSCHE. The Senator from Tennessee anticipated my question. I was going to ask this question: If a State enters into an agreement with the Secretary of Commerce, under which agreement certain segments of the highway traversing a municipality are excluded, then for the purpose of ascertaining the amount to be paid under the one-half of 1 percent formula, that segment of the highway running through the municipality is not considered. Is that correct?

Mr. GORE. But it may be considered.

Mr. LAUSCHE. Getting back to that point, that is what I understood the Senator from California, joined in by the Senator from Tennessee, declared to be the intention of the committee.

Mr. GORE. Will the Senator repeat his question?

Mr. LAUSCHE. The declaration made by the Senator from California, and obviously subscribed to by the Senator from Tennessee, is to the effect—

Mr. GORE. I am not sure it is obvious that I agree with the interpretation of the language of this portion of the bill. I say, in all candor, that as the bill is drafted, if this language is interpreted strictly, the discretion is vested in the Secretary of Commerce. If the Senator wanted to correct that situation and make such discretion dependent upon the application of a State, then I think it might be necessary to add the words "and upon application of the State" in line 17 or in some other appropriate place.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. LAUSCHE. That is, the Senator from Tennessee is faced with the fear that, though the intention was as expressed by the Senator from California, the language used does not carry out that intention?

Mr. GORE. Practically, I think the language is not a prohibition at all. However, it is inconceivable to me that the Secretary of Commerce, in negotiating an agreement with the State of Ohio on the regulation of outdoor advertising along the rights-of-way of the Interstate System, would be entirely arbitrary and would thereby and in that manner exclude the municipal areas, which constitute about half the route of Ohio, I suppose.

Mr. LAUSCHE. The Senator is correct.

Mr. GORE. I cannot conceive that he would exclude such areas from the application and the subject matter of the agreement if the State wanted to negotiate on the basis of including those segments.

Mr. LAUSCHE. What I wish to make certain is that the States which desire to negotiate on the basis of including such portions of the highway as traverse municipalities shall not be precluded from enjoying that right because of the



adverse decision of the Secretary of Commerce, acting at his discretion.

Mr. GORE. The bill in no way would preclude such negotiations and agreements.

I have to agree with the distinguished Senator from Oklahoma [Mr. KERR] that the discretion vested in the Secretary of Commerce is not dependent upon an application by the State. Perhaps it should be.

Mr. KERR. Mr. President, will the Senator yield further at that point?

Mr. GORE. I yield.

Mr. KERR. I say to the Senator from Ohio that under the language of the bill, if the State makes an agreement with the Secretary of Commerce, certain things automatically follow.

First, the Secretary of Commerce has full and complete discretion to apply the regulatory powers and control powers given by the bill to every mile of the Interstate Highway in the State. Based upon that fact, the bill provides that when the contract is made the State receives, on the basis of money being appropriated—if, as, and when appropriated, but not out of the trust fund—an amount equal to one-half of 1 percent of the money furnished by the Federal Government to the State for the Interstate System.

Mr. GORE. No. It refers to those segments included in the agreement.

Mr. KERR. If they make any agreement it is an all-inclusive contract, because the bill specifically provides that having made a contract "with any State prior to July 1, 1961, the Federal share payable on account of any project on the Interstate System within that State provided for by funds authorized under the provisions of section 108 of this act"—

Mr. GORE. Will the Senator read further?

Mr. KERR. The provision continues "to which the national policy and the agreement apply." And they apply within the discretion of the Secretary of Commerce.

Mr. GORE. No.

Mr. KERR. Absolutely.

Mr. GORE. I cannot agree with that interpretation.

Mr. KERR. That is the plain language of the bill. That is the provision of the bill.

Mr. GORE. I agree with the Senator in the first instance, but I cannot go along with him in his last statement, because it is a matter of an agreement between the State and the Department of Commerce. Unless there was an agreement reached between the State and the Department of Commerce the provision would not apply.

Mr. KERR. I ask the Senator to tell the Senate, then, if an agreement is made to what does it apply?

Mr. GORE. To those projects, or to those segments of the Interstate System within the State included in the terms of the agreement.

Mr. KERR. The language states:

Any such agreement may, within the discretion of the Secretary of Commerce, consistent with the national policy, provide for excluding from application of the national standards segments of the Interstate System which traverse incorporated municipalities

wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control—

Therefore, it is discretionary.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and, if so, to whom?

Mr. GORE. I point out to the able senior Senator from Oklahoma that in line 7, on page 23 of the bill, he will find the activating language so far as the financial incentive to the State is concerned, which reads:

Shall be increased by one-half of 1 percent of the total cost thereof—

That refers to the projects on the Interstate System within such a State. The language immediately prior reads:

provided for by funds authorized under the provisions of section 108 of this act, to which the national policy and the agreement apply.

I now defer to the junior Senator from California.

Mr. KUCHEL. I wish to say to the Senator from Ohio that when we investigated the question of home-rule provisions in State constitutions, we came to a realization that in various States of the American Union towns, municipalities, and villages are incorporated in various ways under State laws. It was exceedingly difficult to find language which would do what the Senator from Ohio has in mind and what the Senator from California has in mind; that is to say, in States where municipalities exercise constitutional home rule the State could not speak for them, but in States where municipalities exercise home rule solely as creatures of the State government and the State legislature, the State could speak for them. Rather than try to find precise language which would cover all shades of the situation, the language set forth was finally agreed upon.

I will say to the Senator from Oklahoma, discretion is vested in the Secretary of Commerce, but subject to conditions. As the able Senator from Tennessee indicated, the Secretary's discretion must be governed by an agreement with the State with respect to any particular contract; and, secondly, by the language of the bill, as the Senator from Tennessee stated, "to which the national policy and the agreement apply."

I have one more comment. There must be an element of good faith in carrying out the basic intention of such a provision in the bill. I am sure a Secretary of Commerce who acted in a capricious or arbitrary manner would not last very long, so far as an alert Congress was concerned.

Mr. GORE. If the Senator will permit me to interject at that point, no State is required to accept any part of this provision.

Mr. KUCHEL. The Senator is correct.

Mr. GORE. I cannot conceive of a State entering into an agreement with a Secretary of Commerce who was showing caprice, arbitrariness, and unfairness. I cannot believe that an agreement would be reached unless there were

proper consideration shown by the Secretary of Commerce to the State, which is left completely free to regulate or not to regulate.

Mr. KUCHEL. As it sees fit.

Mr. GORE. It is entirely within the election of a State whether it will take advantage of any part of the financial incentives provided in the section. That being the case, though I agree with the senior Senator from Oklahoma that the discretion vested in the Secretary to exclude certain segments is not, by the strict terms of the bill, activated only upon the application of the State, yet the entire question of whether the State shall enter into an agreement under this section is left to the State to decide.

Mr. KERR. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. KERR. Let me say to my good friend that he may find limitations in the bill as to what the State may receive, but he cannot find limitations as to the discretion of the Secretary of Commerce once the State makes the contract, because if he will refer to line 5 on page 22, he will see the language:

Any such agreement—

That must refer to any agreement which a highway department makes with the Secretary of Commerce—

shall include provisions for regulation and control of the erection and maintenance of advertising signs, displays, and other advertising devices in conformity with the standards established in accordance with subsection (a) and may include, among other things—

That is over and beyond what is set forth on page 21 as to what such agreements shall include. It—

may include, among other things, provisions for preservation of natural beauty, prevention of erosion, landscaping, reforestation, development of viewpoints for scenic attractions that are accessible to the public without charge, and the erection of markers, signs, or plaques, and development of areas in appreciation of sites of historical significance.

That language plainly states that any such agreement that is made between the Secretary and the highway department shall include provisions for regulation and control of the erection and maintenance of signs, and so forth, established in accordance with the provisions of subsection (a).

Mr. GORE. What is wrong with that?

Mr. KERR. What is wrong with it, so far as the Senator from Oklahoma is concerned, is that it requires that the Secretary of Commerce be given power, within his discretion—and, I will say to the Senator from Ohio, without compensation—to take private property. Under the terms of the bill, the highway department, which has no authority to do so, may give to the Secretary of Commerce, who has no authority to accept it, the power—at the point of a pistol, at it were—without compensation, to deprive any property owner within 650 feet of the right-of-way on either side, in perpetuity, of his vested right to lease or otherwise use the property for the purpose of exhibiting or



permitting others to exhibit advertisements of any kind.

In addition, the agreement may include, among other things, provisions for preservation of natural beauty, prevention of erosion, landscaping, reforestation, and so forth.

The Senator from Ohio [Mr. LAUSCHE] has never seen such a far-reaching grant of power in his lifetime—power transferred by an agency which has no authority, to another, who has no legislative authority to exercise the power, except by the terms of the bill and the contract which is made. It is a program to deprive citizens of their property at the point of a pistol, as it were, without compensation or any consideration of its value.

Mr. GORE. The reference to the taking of property at the point of a pistol brings up the point to which the junior Senator from Ohio has already referred, and that is that the State of Ohio paid for such rights.

Mr. KERR. Not at all. It does not have to.

Mr. GORE. I am referring to what the State of Ohio has already done.

Mr. LAUSCHE. That was true in the case of the building of the Ohio toll road.

Mr. GORE. There are other ways by which the regulation may be accomplished, and that is by the power of eminent domain, or by the exercise of the police power of the State.

Mr. KERR. They are two different things.

Mr. GORE. I refer to the power of the State relating to the zoning of property, and the regulation of property for public purposes. Under either method, whether by use of the police power or whether by actual purchase in condemnation of the advertising easement, a State may implement the standards, objectives, and policies set out in the bill.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me in order that I may make a unanimous-consent request for the yeas and nays on final passage of the bill, so that every Senator may know that when the debate is concluded there will be a yeas-and-nays vote on the passage of the bill?

Mr. GORE. I yield for that purpose.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on final passage of the bill.

The yeas and nays were ordered.

Mr. KERR. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. GORE. I yield.

Mr. KERR. Mr. President, I ask unanimous consent that my amendment, designated "3-24-58-2," which I offer on behalf of the Senator from Pennsylvania [Mr. MARTIN], the Senator from Nebraska [Mr. HRUSKA], and myself, be made the pending question, so that Senators may know what the first question to be voted upon tomorrow will be.

Mr. JOHNSON of Texas. Is that the so-called billboard amendment?

Mr. KERR. Yes.

Mr. GORE. Mr. President, pending action upon that request, I ask that the committee amendment be considered as original text for the purpose of amendment.

The PRESIDING OFFICER. The Chair is informed that that has already been ordered.

Mr. JOHNSON of Texas. Will the Senator from Oklahoma amend his request so as to include the printing of his amendment in the RECORD?

Mr. KERR. It was printed yesterday, and is available at the desk.

Mr. JOHNSON of Texas. Will the Senator have it printed in the RECORD?

Mr. KERR. I include the request that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma that his amendment be made the pending question, and that it may be printed in the RECORD?

Mr. JOHNSON of Texas. Mr. President, the purpose of the request is that Senators may know that there will be approximately 4 hours of debate on the Kerr amendment under the unanimous-consent agreement.

If the morning hour is concluded at 10:30, all Senators will be on notice as to the approximate time when a vote may be reached on the Kerr amendment. Several Senators are attending meetings at Annapolis and other places. They will wish to know approximately when a vote may be reached. We may reach a vote between 1:30 and 2 o'clock p. m. tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma?

Mr. CASE of South Dakota. Mr. President, reserving the right to object, I rise to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CASE of South Dakota. Would the granting of the request of the Senator from Oklahoma preclude the offering of a perfecting amendment to the text which the amendment of the Senator from Oklahoma proposes to strike?

The PRESIDING OFFICER. The question is, which amendment does the Senator from Oklahoma desire to offer? If he will send it to the desk, the clerk will read it, and the Chair believes it will be understood.

The clerk will state the amendment which is the subject matter of the unanimous-consent request of the Senator from Oklahoma.

The CHIEF CLERK. On page 20, line 19, it is proposed to strike out all of section 12 through line 9, on page 24.

Mr. CASE of South Dakota. Mr. President, the point of my inquiry is that I propose to offer a perfecting amendment to the language which would be stricken by the amendment of the Senator from Oklahoma.

I have no objection to the amendment of the Senator from Oklahoma being made the pending question, but I do not wish to be foreclosed, under the unanimous-consent agreement, from offering a perfecting amendment which will be voted upon before the motion to strike is voted upon.

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that the motion to amend the section

proposed to be stricken would be in order before a vote is taken. A technical perfecting amendment will be in order before a vote is taken on the motion to strike.

Mr. CASE of South Dakota. I thank the Chair.

Mr. NEUBERGER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. NEUBERGER. Is it appropriate at this time to ask that the yeas and nays be ordered on the Kerr amendment?

Mr. JOHNSON of Texas. As soon as the request of the Senator from Oklahoma is acted upon, I intend to make such a request, in order that Senators may have ample notice.

Mr. KERR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KERR. If time is taken on the Case amendment, will it be deducted from the time allowed on the Kerr amendment itself?

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that if the unanimous consent agreement suggested by the Senator from Oklahoma is approved, the procedure would be, that there would be 4 hours of debate on the Kerr amendment; that the Senator from South Dakota could propose an amendment, and 1 hour of debate, 30 minutes on each side, would be permitted on the Case amendment; and that then the Senate would vote on the Kerr amendment.

Mr. KERR. But the time for debate on the Case amendment would not be taken from the time for debate on the Kerr amendment.

The PRESIDING OFFICER. It would not be taken from the time for debate on the Kerr amendment.

Is there objection to the unanimous consent request of the Senator from Oklahoma that the pending question tomorrow morning shall be his amendment, which has just been stated by the clerk?

The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the Kerr amendment.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. I should like to invite the attention of all Senators to the fact that 1 hour of debate will be allowed on all amendments except on the utility amendment and the billboard amendment. Assuming, for the purpose of illustration, that the Case amendment is offered at 10:30 tomorrow morning, there would be a total of 1 hour of debate available on that amendment, with 30 minutes to each side. Therefore a vote on the Case amendment would come at approximately 11:30. May I ask the Senator from South Dakota whether he will request the yeas and nays on his amendment?

Mr. CASE of South Dakota. Not on my perfecting amendment; no.

Mr. JOHNSON of Texas. The first vote, therefore, would come on the Kerr



amendment. Assuming that all the time on the amendment is used, the vote on the Kerr amendment would come somewhere between 1:30 and 2:30.

The PRESIDING OFFICER. The Chair will state that the Senator from South Dakota could not offer his amendment until all time had been consumed on the Kerr amendment, unless one side or the other yielded time for the consideration of his amendment.

Mr. JOHNSON of Texas. Then the Senate will not have any vote until 1:30 or 2:30.

Mr. CASE of South Dakota. Mr. President—

Mr. GORE. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. I believe I should state the perfecting amendment which may be offered. Whether I offer it will depend on the answers I receive to the questions I pose to the Senator from Tennessee. In view of the discussion which has taken place on the part of the Senator from Ohio, the Senator from Tennessee and the Senator from Oklahoma, it occurs to me that it may be possible for the Secretary of Commerce and a State to agree upon excluding from the application of the national standards certain segments of the Interstate System which traverse municipalities, and not to have such segments excluded when it comes to computing the increased payment.

Mr. GORE. I do not believe that is correct. The first part of the Senator's statement is undoubtedly true. The junior Senator from Colorado [Mr. CARROLL] has pointed out that a project can be a segment of an interstate highway. Obviously we will not have 41,000 miles in one project. However, if the Senator from South Dakota will refer to page 23, beginning in line 4 of the bill, and read lines 4 through 10, inclusive, he will find that the payment of the one-half of 1 percent shall apply only to those segments to which the national policy and the agreement apply.

Mr. CASE of South Dakota. Yes; but the agreement will apply to the excluded segments of the highway. It must be in the agreement or it will be excluded from the standards. What is excluded is the application of the standards, not the segment of the project.

Mr. GORE. I cannot agree with that statement.

Mr. CASE of South Dakota. Let me suggest the language of an amendment which I believe would clarify the situation. The amendment would be inserted at the end of the sentence which deals with the agreement between the Secretary of Commerce and—

Mr. GORE. On what page is that?

Mr. CASE of South Dakota. I refer to the bottom of page 22. Lines 15 through 24 on page 22 provided for the exclusion of the application of the national standards, but that language does not exclude the segment from the agreement. The segment must be in the agreement in order that the standard be excluded.

Mr. GORE. The Senator will find—

Mr. CASE of South Dakota. May I follow through on this point?

Mr. GORE. Certainly.

Mr. CASE of South Dakota. Therefore I believe that at the end of the sentence in line 24 there ought to be added a proviso such as this:

*Provided, however,* That any such segment excluded from the application of such standards shall not be considered in computing the increase of the Federal share payable on account thereof.

Mr. GORE. I believe that proposed language sets forth what is stated on page 23, lines 4 to 10. So far as I am concerned, I do not believe I would object to such an amendment, although, of course, I would have to confer with my colleagues on the subcommittee. It seems to say precisely what the intent of the committee is and what I believe would be a reasonable interpretation of the language on page 23.

Mr. CASE of South Dakota. I believe it is in keeping with the intent of the language. However, I am afraid that the language on page 23, if closely read, makes the share payable for the project to which the national policy and the agreement apply.

Mr. GORE. But the national policy spelled out in agreements, as the Senator will note on page 22, line 5, "shall include provisions for regulation and control of the erection and maintenance of advertising signs," and so forth.

Mr. CASE of South Dakota. Yes; but if that portion is left out and the bill provides that it does not apply because it is subject to municipal regulation, there should not be included the additional half percent for the section that is taken out.

Mr. GORE. I agree with the Senator thoroughly. If there is any doubt as to the meaning of the language to which I have referred on page 23, then his amendment will be in order, and I hope he will give consideration to it further and confer with the authors of the committee amendment prior to tomorrow.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that the amendment I have indicated be printed; and for the information of the Members of the Senate I read the amendment. It would be, on page 22, at the end of line 24, to strike out the period and insert in lieu thereof a colon, and the following proviso:

*Provided, however,* That any such segment excluded from the application of such standards shall not be considered in computing the increase of the Federal share payable on account thereof.

The PRESIDING OFFICER. The amendment intended to be proposed by the Senator from South Dakota will be received and printed.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LAUSCHE. I understand that the amendment which the Senator from South Dakota has in mind is in accord with the intention and purpose of the committee as set forth in the language of the bill. However, it may have a serious impact in some States. In Ohio, the probability is that one-half of the Interstate System runs through municipalities. If the State decides to exclude the

segments of the highways which run through municipalities, and then is reduced in an amount equal to the mileage taken out, in proportion, the moneys remaining with which to put into effect the program on the remainder of the system will be practically nil.

Mr. CASE of South Dakota. Then by the very virtue of what the Senator from Ohio has pointed out, if we exclude half the mileage from the application of the standards because half of the mileage is within municipalities, there would be a 1-percent increase for the half to which the standards apply.

Mr. GORE. If that were the interpretation, I do not believe it would be a reasonable interpretation. It would be contrary to the intent of the committee.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LAUSCHE. The Senator suggested that the language beginning on page 22, in order definitely to express the intention of the committee, might be amended by inserting, on line 17, following the word "policy," these words: "and upon application of the State."

That would mean that if a State were desirous of including an entire project in the program, the Secretary of Commerce would have no discretion to exclude any part of the project.

Mr. GORE. Except upon application of the State.

Mr. LAUSCHE. Only when the State would apply to exclude those portions of a highway running through a municipality would the Secretary of Commerce have the discretion to exclude them. Is that correct?

Mr. GORE. It seems to me that the language "and upon application of the State" would clearly place the initiation upon the State.

Mr. LAUSCHE. Is the Senator from Tennessee in a position to say whether he would accept an amendment of that type?

Mr. GORE. Before saying so, I should like to confer with the members of the subcommittee prior to the convening of the Senate tomorrow.

Mr. LAUSCHE. I do not think the discretion should be placed completely in the Secretary of Commerce. The States should have something to say. If they once declare, "We want so much of the highway excluded," only then should the Secretary of Commerce be permitted to exercise his discretion.

Mr. GORE. As I stated earlier, the whole matter rests upon the initiation and approval by the States. It may be, so far as segments are concerned, that we need to spell out that, so that even there, also, the initiative rests clearly with the States. I will confer with my colleagues overnight.

Mr. KERR. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. KERR. If I understand correctly the amendment offered by the Senator from South Dakota, it would exclude the cost of the Interstate System in the municipal areas from any effect—

Mr. CASE of South Dakota. If the application standards are excluded,



Mr. KERR. From any amount of money the State would get. That is, the State would get that much less by reason of the amendment, under the terms of the one-half of one percent bonus or incentive, but it would not in anywise affect the discretionary power of the Secretary of Commerce to regulate those areas within the municipality and to control signboards. Under the bill, his authority to regulate them is limited to permitting signboards; and under the proposed Act, his authority to regulate them is limited to permitting signs not in excess of 500 square inches.

Mr. LAUSCHE. Upon what language is the Senator from Oklahoma relying to support the statement that the Secretary of Commerce has complete discretion?

Mr. KERR. It is the language beginning in line 15. The Senator from Tennessee referred to the language in line 5, which begins, "Any such agreement shall include provisions for regulation and control."

I ask the Senator from Tennessee, What agreement is that which is designated? To what does the phrase "any such agreement" refer?

Mr. GORE. That refers to an agreement between the Secretary of Commerce and a State; and the Secretary of Commerce, under the terms of the bill, has no authority, except that it be effectuated through an agreement between the Secretary of Commerce and a State.

Mr. KERR. The Senator is correct. If he will read the five lines preceding the words "any such agreement," he will have the information concerning what the agreement is.

Mr. GORE. I shall be glad to read those lines. The first sentence begins on line 25, page 21.

The Secretary of Commerce is authorized to enter into agreements with State highway departments (including such supplementary agreements as may be necessary) to carry out the national policy set forth in subsection (a) of this section with respect to the Interstate System within the State.

Mr. KERR. Does that say, "with reference to segments of the Interstate System within the State"? Or does it not state completely that the Secretary of Commerce is authorized to enter into agreements with a State highway department with respect to the Interstate System within the State?

Mr. GORE. To carry out the policy set forth in subsection (a).

Mr. KERR. Very well. What is the policy set forth in subsection (a)?

Mr. GORE. Before we come to that, I point out that the conferring of authority upon the Secretary of Commerce to enter into an agreement with the State is a far cry from conferring authority upon the Secretary of Commerce to impose a condition.

Mr. KERR. The Senator is eminently correct. But I have been saying that once a State highway department makes a contract, the contract confers upon the Secretary of Commerce what I have indicated; and the only authority which the Secretary has to make a contract with a State highway department is with respect to the interstate system within the State. That is the

authority, and it sets forth what the contract is that is authorized.

Mr. GORE. The Senator from Oklahoma asked me if I saw in those lines the word "segments." I do not see "segments" in those lines; but if the Senator will refer to line 18, page 22, he will see the phrase "for excluding from application of the national standards segments of the Interstate System."

Mr. KERR. The Senator is entirely correct. That provides that the Secretary of Commerce may, at his discretion, exclude segments; but it does not say that the State highway department may, at its discretion, exclude segments.

How could the Secretary of Commerce be granted discretion to exclude segments of a system which he had not been given the authority to regulate? What will he exclude it from, if it is not from the effect of the contract which he has been authorized to make?

Mr. GORE. It is an exclusion from the standards, as specified in the agreement.

Mr. NEUBERGER. The agreement with the State highway department.

Mr. KERR. But it is at the discretion of the Secretary.

Mr. GORE. It is at the discretion of the Secretary.

Mr. KERR. That is all I said.

Mr. GORE. But it would have to be an exclusion spelled out in the agreement to which the State is a party.

Mr. KERR. No; it does not say that; it says after they make any such agreement; and such an agreement is with respect to the Interstate System within the State.

Mr. GORE. I do not see the word "after."

Mr. KERR. How could the Secretary exclude from the application of the bill segments which had not been included in the contract which he made?

Mr. GORE. It says, "any such agreement may."

Mr. KERR. May what?

Mr. GORE. May provide.

Mr. KERR. No; it does not say that.

Mr. GORE. I am skipping a clause.

Mr. KERR. It says:

Any such agreement may, within the discretion of the Secretary of Commerce.

That is what the Senator must not skip.

Mr. GORE—

Any such agreement may \* \* \* provide for excluding.

Mr. KERR. No; it does not say that.

Mr. GORE. I read the sentence beginning on line 15, page 22:

Any such agreement may, within the discretion of the Secretary of Commerce, consistent with the national policy, provide—

Mr. KERR. What is the "national policy"?

Mr. GORE. The language is, "national policy."

Mr. KERR. The phrase reads "consistent with the national policy."

Mr. GORE. The national policy is spelled out beginning on line 23, page 20. If the Senator wishes me to read it, I shall do so.

Mr. KERR. I should be glad to have the Senator read it. I am sure the Sen-

ator from Tennessee knows what the policy is; but I am calling his attention to the fact that the Secretary of Commerce does not have any discretion to make any exclusions except those consistent with the national policy, which is set forth in the bill.

Mr. GORE. But if the Senator will turn to line 15, he will find that the agreement between the Secretary of Commerce and any State "may provide for excluding from application." There must be two parties to the agreement, and the agreement may provide for an exclusion.

Mr. KERR. At whose discretion?

Mr. GORE. At the discretion of the Secretary of Commerce. But that is a grant of authority by means of the bill to the Secretary of Commerce.

Mr. KERR. The Senator from Tennessee is correct.

Mr. GORE. Under that grant of authority, the Secretary of Commerce may exclude from the agreement some of the provisions of the national policy. But any State which is a party to the agreement must agree to the exclusion, in order to reach an agreement, if an agreement is to be reached.

Mr. CARROLL. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. CARROLL. That is precisely the point. The State of Colorado, through its highway commission, may enter into a contract; and the very purpose, as I view this matter—

Mr. GORE. The decision as to entering into the contract will be entirely within the election of the State of Colorado.

Mr. CARROLL. Yes, always; until there is a meeting of the minds.

As I understand the language appearing at the bottom of page 21, it is merely an authorization for the Secretary of Commerce to enter into an agreement.

Then we come to the words, on page 22, beginning in line 5:

Any such agreement shall include—

This is a legislative mandate in regard to a contract; it specifies that in that connection the Secretary of Commerce must do certain things—provisions for regulation and control—

And so forth. Then we come to the definitive language, which states that such an agreement may "provide for excluding from application."

If Colorado does not like the exclusion provided by the Secretary of Commerce, Colorado does not need to accept it.

Mr. GORE. Yes; the State does not have to enter into the agreement.

Mr. CARROLL. I should like to have the able Senator from Oklahoma [Mr. KERR] and the distinguished Senator from Tennessee [Mr. GORE] define the meaning of the words "a project" under the Interstate System.

Mr. GORE. "A project" can be a bridge. I am not undertaking to give a legal interpretation; but "a project" is a portion of highway construction for which the State has made application and has obtained the approval of the Secretary of Commerce, thereby entitling the State to reimbursement for the Fed-



eral Government's pro rata share of the cost thereof.

Mr. CARROLL. Let us assume that Colorado wishes to enter into a contract with the Secretary of Commerce for perhaps 100 miles—

Mr. GORE. Or 10 miles.

Mr. CARROLL. Yes.

Mr. GORE. Or 1 mile.

Mr. CARROLL. Yes. That would constitute a project, would it not?

Mr. GORE. Yes.

Mr. CARROLL. Let me read from page 23:

If an agreement pursuant to this section—

The one we have been discussing—

has been entered into with any State prior to July 1, 1961, the Federal share payable on account of any project on the Interstate System within that State—

It seems to me that the words "payable on account of any project" in contract law would be the gist of the contract.

The rest of the provision is the legislative authorization of legislative mandate or a statement of the definitive standards; but here is the activating portion of the contract which the distinguished junior Senator from Tennessee has discussed.

I wonder whether the project could be separate; or would it have to be included in the total number?

I have been much impressed by one of the statements made by the distinguished senior Senator from Oklahoma [Mr. KERR]. In other words, could there be a series of projects on the Interstate System, within a State?

Mr. GORE. The only exclusion I find in the bill, as it applies to the Interstate System within a State, is under the provision we have been discussing for the past hour, which is to be found on page 22, beginning on line 15.

Mr. CASE of South Dakota. Mr. President, if the Senator from Tennessee will yield to me, let me say that certainly there can be more than one contract, because the language in line 2 on page 22 reads as follows:

(Including such supplementary agreements as may be necessary.)

So there could be an agreement for the first project a State presented, and also an agreement for the second project it presented, and also an agreement for the third project it presented, and so forth.

The bill uses, on page 22, the words "(Including such supplementary agreements as may be necessary)." Certainly that language gives all the latitude in the world for as many projects as there might be in a State.

Mr. CARROLL. Mr. President, will the Senator from Tennessee yield further to me?

Mr. GORE. I yield.

Mr. CARROLL. This matter could be very important to Colorado. For instance, let us consider the so-called short grass area of the Great Plains section of Colorado. Colorado might have a contract covering that specific territory, and another covering the scenic mountain areas.

Mr. GORE. Let me also point out that Colorado will not build her entire share

of the Interstate System in 1 year or under 1 contract or in 1 project.

Mr. CARROLL. That is exactly correct.

Mr. KERR. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. KERR. But under this language, as the Senator from Colorado has so pointedly referred to it, "if an agreement pursuant to this section has been entered into with any State prior to July 1, 1961, the Federal share payable on account of any project on the Interstate System within that State," if, as, and when it is built and reimbursed for, will carry with it the provision for one-half of 1 percent.

If the contract is with respect to any project in the State, then certainly it is with reference to all the projects. Contracts will not be made as the projects are made, because this program will go forward for 10, 15, or 20 years.

But "if an agreement" is made "prior to July 1, 1961"—that is set forth on page 23 of the bill—then—

The Federal share payable on account of any project on the Interstate System within that State provided for by funds authorized under the provisions of section 108 of this act, to which the national policy and the agreement apply, shall be increased by one-half of 1 percent of the total cost thereof.

Mr. CARROLL. But here let me say that I think the Senator from Tennessee has put his finger precisely on the point, namely, unless the contract is satisfactory to the State of Colorado, Colorado will not accept it. That is the complete answer.

Mr. GORE. And the contract may "provide for excluding from application of the national standards segments of the Interstate System which traverse incorporated municipalities." So there it is.

Mr. KERR. Within the discretion of the Secretary.

Mr. GORE. Yes; within the discretion of the Secretary, to which agreement the State must be a party.

Mr. HRUSKA. Mr. President, is it the understanding of the Senator from Tennessee that that would be an absolute exclusion? In other words, would the signboards erected under a local ordinance of a municipality be allowed, if the exclusion applies to that particular municipality?

Mr. GORE. I think the Senator has raised a different question, which I shall be glad to answer in accordance with my understanding, as follows: If the standards of the national policy are met by a municipal zoning ordinance or regulation, then the Secretary of Commerce could, by means of the language on page 23 to which reference has frequently been made, pay the "one-half of 1 percent of the total cost thereof."

Mr. HRUSKA. That does not answer my question.

My question is this: When will the Secretary of Commerce exclude a certain segment of the Interstate Highway System which is found within a city that has a zoning ordinance which permits billboards of a variety of kinds to be used or erected within the municipality? Is

it the understanding of the Senator from Tennessee that the billboards may still be used or erected within the municipality, pursuant to its present zoning ordinance?

Mr. GORE. If the municipality, or the area within the municipality, is excluded from application of the standards, under forms of the agreement, this bill will have absolutely nothing to do with that area.

Mr. HRUSKA. Let me ask the Senator from California if he agrees with that statement.

Mr. KUCHEL. I do, thoroughly and completely.

Mr. HRUSKA. Let me ask the Senator from Tennessee the significance and the meaning of the words commencing on line 15, page 22, "any such agreement may, within the discretion of the Secretary of Commerce, consistent with the national policy." What is the meaning and the significance of the words "consistent with the national policy," taking into consideration that the national policy which is there referred to is the one outlined on page 21, and, in fact, very definitely spelled out on page 21, commencing in line 6? Any exclusion, in other words, must be consistent with then national policy. I refer the Senator from Tennessee to the language on page 21, commencing on line 6, wherein the national policy is spelled out in letters.

Mr. GORE. To begin with, the national policy is declared beginning on line 23, page 20.

Mr. HRUSKA. That is not the national policy. That is a preliminary recital. The words, "It is hereby declared to be a national policy," on lines 6 and 7 on page 21, it seems to me are a declaration of the national policy with reference to the subsequent language in that section.

Mr. GORE. I submit the statement of the national policy begins on line 23, page 20, and runs through line 24, page 21.

Mr. HRUSKA. Granting that for the time being, even if that be true it would include the language starting on line 6, page 20, and continuing through line 24 on page 21. Is that correct?

Mr. GORE. That is the national policy.

Mr. HRUSKA. That is the national policy; is that correct?

Mr. GORE. That is correct.

Mr. HRUSKA. My question is, If signboards, 24 by 30 feet, are permitted within a municipality which now zones its area, would the maintenance of such signs be consistent with the national policy set forth on page 21?

Mr. GORE. I am not able to say whether the zoning provisions of a particular municipality would meet the national policy which is set forth.

Mr. HRUSKA. I have stated the size of the sign. I know of no language on page 21 which would permit the Secretary of Commerce to exclude a municipality from an agreement he made with a State, if the signs were 24 by 30 feet. There is nothing on page 21 which makes such signs consistent with national policy. The largest sign permitted under those circumstances would



be a sign not bigger than the top of the desk in front of me, 20 by 25 inches, and that is all.

Mr. GORE. What is the Senator's point and suggestion?

Mr. HRUSKA. My point is that if the Secretary of Commerce could, within his discretion, exclude any municipality from an agreement, he could in effect nullify and repeal any zoning ordinance within such municipality.

Mr. GORE. I do not think the bill vests in the Secretary of Commerce any authority to repeal a municipal zoning ordinance. If there be such authority, I desire to strike it out. There is no authority conferred by the bill upon the Secretary of Commerce which can be exercised except through agreement between the Secretary of Commerce and a State.

Mr. HRUSKA. That is true, but he has the discretion granted on page 22, to which we have repeatedly referred, to provide for excluding from the application of these standards certain municipalities.

Mr. GORE. In an agreement between him and the State.

Mr. HRUSKA. In the agreement, but any exclusion he makes must be consistent with the national policy which is set forth on page 21 of the bill. If it means that only what is provided on page 21 can fall within the exclusion, then it would be meaningless for him to exclude any municipalities at all.

Mr. GORE. It would be meaningless for him to exclude them, but I cannot conceive of a State's agreeing to the exclusion of an area within a given municipality which meets the standards of the national policy, thereby denying itself financial benefits to which it would be entitled.

Mr. HRUSKA. But it does not meet the national policy.

Mr. CASE of South Dakota. Mr. President, will the Senator from Tennessee yield to me for an observation with respect to the billboard proposal?

Mr. GORE. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, the public does not have a clear and correct picture of what is proposed in section 12 of the pending highway bill, the so-called billboard section. Whatever may be responsible for the situation, it is time to clear away some of the confusion.

I appreciate the effort which the able Senator from Tennessee has made this afternoon to point out what the billboard section really proposes to do, and also to point out some of the things it does not propose to do.

Supplementing what the able Senator has said, I should like to say that section 12 does not prohibit highway advertising. It only proposes a way in which States may receive some help on the cost if they want to regulate advertising along the Interstate Highways.

The provisions do not apply to the regular primary and secondary roads. They apply only to the Interstate System, where Uncle Sam is paying 90 to 95 percent of the cost.

Mr. President, I make that point clear, because I have received letters from

farmers who live many miles from any presently designated section of the Interstate System, and from any proposed or requested segment of the Interstate System, who have been made to fear they will lose \$5 or \$10 or \$50 which they may be getting as a reimbursement for the erection of a sign on their premises, although they are on a secondary road. Of course, this section of the bill does nothing with respect to controlling advertising or regulating advertising on primary or secondary roads, except and only if such roads are segments of the Interstate System.

The provisions say, in effect, that when a State wants to do something to regulate the signs and billboards on the interstate highway, the Federal Government will contribute a little toward the cost of doing it.

Second, I wish to make it clear that section 12 is not self-executing. It is not automatic. Unless States, through their legislatures, enact regulatory legislation, nothing happens.

Again, unless they enter into an agreement with the Secretary of Commerce, nothing happens.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. May I complete the statement first, please.

The Federal Government does not have police powers in this field. During the hearing, I challenged advocates of prohibitory legislation to find any Supreme Court decision which would indicate that the Federal Government could forbid roadside advertising. None were produced.

Third, I should like to point out that the agreements which would have to be made between the States and the Secretary of Commerce before a State could be eligible for assistance in the matter would protect the right of towns, businesses, motels, and service stations to indicate their location by small, neat signs within a distance of 12 miles. That is provided by an amendment which I sponsored in committee.

Also, general directional signs, and signs advertising the sale or lease of property adjacent to the highway and signs to give information in the interest of the traveling public are expressly authorized.

In short, section 12 does not outlaw all roadside advertising even along the interstate highways, but provides a way in which States, if they desire, can get a little help in regulating signs to prevent the new Interstate System from becoming a \$35 billion boulevard of billboards.

I thank the Senator from Tennessee for yielding.

#### PRESIDENT'S PROPOSED UNEMPLOYMENT BENEFITS

Mr. GORE. Mr. President, I ask unanimous consent that I may yield to the junior Senator from Massachusetts, without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Massachusetts may proceed.

Mr. KENNEDY. Mr. President, I have in my hand a statement issued by the White House to the Congress of the United States in regard to unemployment compensation. In the statement the President states that the legislation which he is recommending to the Congress "should provide for the payment, to individuals who have exhausted their regular unemployment compensation benefits, of temporary benefits for an additional period equal to one-half of the duration of their regular benefits."

He states it is a loan program. He states further, "The Government would be reimbursed for the costs incurred by it for this program by each State through an increase, 4 years after the program's end, in the tax payments to the Federal Government by employers in that State under the Federal Unemployment Tax Act."

There are 3 or 4 major shortcomings in the proposal.

In the first place, many States provide for a short period of unemployment benefits. In one State the duration is as low as 6 weeks. When the President proposes that unemployment benefits be paid for 50 percent longer than now paid in the States, that provides in such a State a total benefit of 3 additional weeks, or a total of 9 weeks. The proposal does nothing toward insisting on the necessity for a longer period of time for the payment of such benefits. I believe that period should be at least 39 weeks.

Secondly, the whole loan program is badly conceived. Many States will derive no advantage from it. Many State legislatures are not in session. Many States have constitutions which would prohibit them from adopting the program. Many State legislatures will not meet until next year. Many State legislatures have already adjourned.

I think the program is most unfortunately conceived. I think it will do little, in view of the seriousness of the problem. I am hopeful the Congress will adopt a more substantial program. Tomorrow I hope to discuss in more detail the proposal which a number of us have introduced in the Senate, and which has been introduced in the House by Representative McCARTHY, of Minnesota.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. CASE of South Dakota. The Senator referred to States which might have unemployment benefit periods as short as 6 weeks.

Mr. KENNEDY. I had reference to the State of Florida.

Mr. CASE of South Dakota. The Senator was referring to the State of Florida?

Mr. KENNEDY. Yes.

Mr. CASE of South Dakota. Does any other State provide for such a brief period of unemployment benefits?

Mr. KENNEDY. Yes, and there are other States which have periods as brief as 10 weeks and 12 weeks.

Mr. CASE of South Dakota. The observation of the Senator from Massa-



## 2d supplemental appropriation bill, 1958 (H. R. 10881)—Continued

[Comparison of budget estimates with House and Senate version of bill and conference action]

If, Doc. No.		Budget estimate	House bill	Senate bill	Conference action
	<b>CH. VI</b>				
	<b>LEGISLATIVE BRANCH</b>				
	<b>HOUSE OF REPRESENTATIVES</b>				
313	Gratuity payments to beneficiaries of deceased Members.....		\$135,000	\$135,000	\$180,000
	Contingent expenses, special and select committees.....	\$475,000	475,000	475,000	475,000
	<b>CAPITOL POLICE</b>				
	General expenses.....			11,840	5,920
	<b>LIBRARY OF CONGRESS</b>				
313	Distribution of catalog cards, salaries and expenses.....	48,000	48,000	48,000	48,000
313	Books for the blind.....	75,000	75,000	75,000	75,000
	Total, ch. VI.....	1,393,000	733,000	1,604,820	1,643,900
	<b>CH. VII</b>				
	<b>PUBLIC WORKS</b>				
	<b>DEPARTMENT OF DEFENSE—CIVIL FUNCTIONS</b>				
	<b>DEPARTMENT OF THE ARMY</b>				
	Rivers and Harbors and Flood Control				
313	Operation and maintenance, general.....	7,000,000			
	<b>DEPARTMENT OF THE INTERIOR</b>				
	<b>SOUTHEASTERN POWER ADMINISTRATION</b>				
313	Operation and maintenance.....	(489,000)	(359,000)	(359,000)	(359,000)
	<b>BUREAU OF RECLAMATION</b>				
313	Upper Colorado River Basin fund.....	10,000,000	10,000,000	10,000,000	10,000,000
321	Construction and rehabilitation.....	10,000,000	10,000,000	10,000,000	10,000,000
	General investigations.....		62,500		
	Total, ch. VII.....	27,000,000	20,062,500	20,000,000	20,000,000
	<b>CH. VIII</b>				
	<b>DEPARTMENT OF STATE</b>				
	<b>ADMINISTRATION OF FOREIGN AFFAIRS</b>				
313	Salaries and expenses.....	447,000	375,000	375,000	375,000
	<b>INTERNATIONAL ORGANIZATIONS AND CONFERENCES</b>				
313	Contributions to international organizations.....	9,794,000	9,690,563	9,690,563	9,690,563
313	International contingencies.....	300,000	250,000	250,000	250,000
	Total, Department of State.....	10,541,000	10,315,563	10,315,563	10,315,563
	<b>DEPARTMENT OF JUSTICE</b>				
	<b>LEGAL ACTIVITIES AND GENERAL ADMINISTRATION</b>				
313	Fees and expenses of witnesses.....	250,000	250,000	250,000	250,000
	<b>FEDERAL PRISON SYSTEM</b>				
S. 79	Salaries and expenses.....	400,000			
313	Support of United States prisoners.....	250,000	250,000	250,000	250,000
	Total, Department of Justice.....	900,000	500,000	500,000	500,000
	<b>THE JUDICIARY</b>				
	<b>COURTS OF APPEAL, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES</b>				
313	Salaries of judges.....	340,000	300,000	275,000	275,000
313	Fees of jurors and commissioners.....	675,000	675,000	675,000	675,000
313	Travel and miscellaneous expenses.....	70,500	59,000	70,500	59,000
313	Salaries of referees.....	(52,400)	(46,000)	(46,000)	(46,000)
313	Expenses of referees.....	(71,000)	(71,000)	(71,000)	(71,000)
	Total, the Judiciary.....	1,085,500	1,034,000	1,020,500	1,009,000
	<b>FUNDS APPROPRIATED TO THE PRESIDENT</b>				
306	President's special international program.....	\$ 2,054,000	( <sup>9</sup> )	\$ 2,804,000	( <sup>9</sup> )
	Total, ch. VIII.....	14,580,500	11,849,563	14,640,063	11,824,563
	<b>CH. IX</b>				
	<b>DEPARTMENT OF DEFENSE</b>				
	<b>INTERSERVICE ACTIVITIES</b>				
S. 81	Olympic Games.....	3,500,000		3,500,000	
	<b>CH. X</b>				
	<b>DISTRICT OF COLUMBIA</b>				
	<b>OPERATING EXPENSES</b>				
S. 79	Metropolitan Police.....	(192,000)		(192,000)	(192,000)

Footnotes at end of table.



## 2d supplemental appropriation bill, 1958 (H. R. 10881)—Continued

[Comparison of budget estimates with House and Senate version of bill and conference action]

H. Doc. No.		Budget estimate	House bill	Senate bill	Conference action
	CH. XI				
	CLAIMS, AUDITED CLAIMS, AND JUDGMENTS				
321	Claims.....	\$6,900,276	\$6,900,276	\$6,900,276	\$6,900,276
S. 80	do.....	1,423,236	1,423,236	1,423,236	1,423,236
	Total.....	2,877,644,080	2,857,882,907	2,869,406,463	2,861,008,793

<sup>1</sup> Includes language proposing transfer of \$78,000,000 from "Acreage reserve program," fiscal 1958, which together with appropriation of \$489,500,000 reimburses CCC for full costs amounting to \$567,500,000.

<sup>2</sup> Increase in program authority for 1958 crop, making a total authorization of \$750,000,000.

<sup>3</sup> Increase in travel limitation.

<sup>4</sup> To be derived by transfer.

<sup>5</sup> For Universal and International Exhibition, Brussels, Belgium.

<sup>6</sup> Language to authorize the use of funds previously appropriated for a trade fair exhibit in Gorki Park, Moscow, as follows: Not to exceed \$1,000,000 for the U. S.

Public Health Service to operate a health exhibit at the Brussels Fair, and not to exceed \$750,000 for the international trade fair program of the Department of Commerce.

<sup>7</sup> Full budget estimate for Brussels Fair and \$750,000 for international trade fairs of the Department of Commerce.

<sup>8</sup> Language to authorize the use of funds previously appropriated for a trade fair exhibit in Gorki Park, Moscow, as follows: Not to exceed \$1,000,000 for the Brussels fair, and not to exceed \$750,000 for the international trade fair program, Department of Commerce.

Mr. JOHNSON of Texas. Mr. President, I desire to express my appreciation to the Senator from Tennessee for his courtesy.

## FEDERAL-AID HIGHWAY ACT OF 1958

The Senate resumed the consideration of the bill (S. 3414) to amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes.

Mr. GORE. Mr. President, I repeat that this bill does not provide for Federal regulation of outdoor advertising. The bill does not provide in any way a prohibition of, or against, outdoor advertising. Any regulation, other than for those segments of the Interstate System lying wholly within wholly federally owned land, if accomplished at all, will be accomplished only by a State, which is free to regulate or not to regulate, as the State may deem advisable.

Mr. LONG. Mr. President, will the Senator from Tennessee yield to me?

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Does the Senator from Tennessee yield to the Senator from Louisiana?

Mr. GORE. I yield.

Mr. LONG. The Senator from Tennessee is making a very fine statement. I should like to know whether he has made any calculation as to what it would cost to line a mile of highway with billboards. Does the Senator from Tennessee have any estimate of that cost?

Mr. GORE. Does the Senator from Louisiana mean the cost of lining a highway with billboards?

Mr. LONG. Yes.

Mr. GORE. Does the Senator from Louisiana mean how much a mile of billboards would cost?

Mr. LONG. Yes.

Mr. GORE. I never made such a calculation. But unless the Congress takes some action, we may easily be able to calculate it—most unfortunately.

Of course there is a limit to the number of billboards which could be erected within a distance of 1 mile. I would not think the billboards would be constructed parallel to the highway, in the

way that a picket fence might be constructed. Instead, the billboards are generally constructed at angles to the highway, in order to provide for greater visibility. I suppose, therefore, that the billboards are a least 100 feet apart.

Mr. LONG. The thought which occurred to me was this: When the Congress plans to spend as much as \$1 million a mile in building splendid highways through beautiful, rolling, scenic areas with lovely views, I am curious to know how much it would cost to erect enough billboards to prevent one from having a chance to enjoy the natural scenery.

Mr. GORE. I do not know. But I can state the antithesis of that: In the State of New York, when the State negotiated for the rights-of-way for construction of the New York Thruway, at the same time the State purchased the advertisement easements on areas adjacent to the rights-of-way, and purchased them for what seems to me to be almost a nominal cost—namely, approximately \$1,000 a mile. Of course, once the highway is constructed and once traffic on it commences and once a site has been purchased, the cost of acquisition would be multiplied, as I am sure the Senator from Louisiana understands.

Mr. LONG. Yes.

The thought occurred to me that if a mile of highway passing through some beautiful country costs \$1 million, then if a person were permitted to erect \$50,000 worth of billboards, those who used the highway would not be able to enjoy very much scenery in the course of that mile; that is my offhand guess.

I should like to inquire whether the Senator from Tennessee has made any estimate of the cost of lining a highway about as closely as could be done, as a practical matter, with billboards.

Mr. GORE. I must say that I have not made such a calculation. Certainly I have no desire that such a situation should be brought about.

Mr. CASE of South Dakota. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. CASE of South Dakota. The Senator from Tennessee has referred to the situation which would pertain on federally owned lands—for instance,

national parks, national forests, and Federal reserves. The situation under this bill would not be different from the present situation, would it? At the present time, advertising is not permitted on such lands.

Mr. GORE. That is correct; today it is not permitted in the national parks or on the Federal lands or on the public domain. The pending bill does not seek to make any change in that respect.

Mr. KERR. Mr. President, will the Senator from Tennessee repeat the statement he made just before the question was asked by the Senator from Louisiana [Mr. LONG]?

Mr. GORE. I said the pending bill does not provide for Federal regulation of billboards, as some have suggested that it does. Any regulation, other than for those segments of the Interstate System lying wholly within wholly federally owned land, if accomplished at all, will be accomplished only by the several States, which are free to regulate or not to regulate, as they may deem advisable.

Mr. KERR. Does the Senator from Tennessee seriously inform the Senate that if the pending bill is passed and is enacted into law, and if a State highway department made a contract with the Secretary of Commerce, that would not vest in the Secretary of Commerce not only the power but also the responsibility to regulate the area adjacent to the highway—for 660 feet on either side—with reference to the exclusion of billboards?

Mr. GORE. I say, and I have so advised the Senate, and I do now advise the Senate, that any regulation whatsoever, if there is any, will be accomplished by the States.

Mr. KERR. I should like to have the Senator from Tennessee show the Senate the language which says the States shall regulate.

Mr. GORE. This regulation, if it is achieved at all—

Mr. KERR. Will be by whom?

Mr. GORE. It will be in 1 of 2 ways.

Mr. KERR. By whom?

Mr. GORE. By the States. It will be achieved—

Mr. KERR. The Senator from Tennessee cannot be serious about that.

Mr. GORE. I could not be more serious.



Mr. KERR. The language of the bill grants authority for the Secretary of Commerce to regulate.

Mr. GORE. I beg the able Senator's pardon. The bill, if enacted, will provide authority for the Secretary of Commerce to enter into agreements with the States. The States can bring about the regulation, either by purchase of the advertising easements—in which event, 90 percent of the cost thereof will be reimbursed to the States, provided it does not exceed 5 percent of the cost of the right-of-way—or by the exercise of the police power of the States, in the case of States which desire to exercise such police power. In either event the States will receive an incentive payment equal to one-half of 1 percent of the cost of the Interstate System, exclusive of those segments excluded by mutual agreement.

Therefore, I say, in all seriousness, to the distinguished senior Senator from Oklahoma that any regulation which is accomplished will be accomplished by the States, not by the Secretary of Commerce. The Secretary of Commerce is authorized to enter into agreements with the States, and to provide a part of the cost of performance by the States, and to provide financial incentives to the States for their participation.

Mr. KERR. Will the Senator yield?

Mr. GORE. I yield.

Mr. KERR. There is not a Member of the Senate for whom the Senator from Oklahoma has a higher regard or a deeper affection than he has for the distinguished Senator from Tennessee; but if the Senator from Oklahoma is capable of reading the English language, the bill before the Senate does not, nor can it by any possible interpretation be deemed to, bring about the result which the distinguished Senator has just, I am sure in all sincerity, told the Senate would be brought about.

Mr. GORE. I wish to reciprocate fully in the expression of esteem and affection which the able Senator has bespoken for me. I appreciate it very much. I am most grateful for it. I assure him the esteem and affection are fully reciprocated. If I have been guilty of misleading the Senate, I wish the Senator would point out wherein I am wrong.

Mr. KERR. I say to the distinguished Senator, if I correctly read the bill, beginning at the bottom of page 21, it authorizes the Secretary of Commerce to enter into agreements with State highway departments. The Senator has referred to State legislatures. There is no provision in the bill requiring approval by State legislatures. There is no provision in the bill which states that a contract shall be entered into with a State legislature. It provides that the Secretary of Commerce is authorized to enter into agreements with the State highway departments, to carry out the national policy set forth in subsection (a) of this section.

Mr. GORE. Will the Senator yield at that point?

Mr. KERR. I yield.

Mr. GORE. What is that national policy? If the Senator will look at the top of page 21, line 2, he will see the

language, "to encourage and assist the States to control the use of and to improve areas adjacent to the Interstate System by controlling the erection and maintenance of outdoor advertising signs, displays, and devices adjacent to that system."

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. HRUSKA. A few lines below that phraseology, commencing at line 11, will be found the provision that the signs "should be regulated, consistent with national standards to be prepared and promulgated by the Secretary."

Then they are listed. If those are the regulations and the precise standards by which the provisions shall be formulated and prescribed by the Secretary of Commerce, I should like to ask the Senator who is doing the controlling and who is doing the regulating.

Mr. GORE. There is a difference between the exercise of police powers, or the purchase of a right, on the one hand, and the promulgation of standards, on the other. The standards promulgated by the Secretary of Commerce are, however, national standards with which the States must comply in order to qualify either for reimbursement of the cost, the acquiring of the advertising easement, or the financial incentive of one-half of 1 percent. It is really beyond me to comprehend the Senator's interpretation.

Mr. HRUSKA. My point is if the Senator from Tennessee contends that there is to be no Federal regulation, this provision does not bear out his statement. Regulations are prescribed and the method of enforcing them. When it is the Secretary of Commerce who promulgates and prepares the regulation, who is it that regulates? I say it is the Secretary of Commerce.

Mr. GORE. The same thing occurs in the highway program itself. The Secretary of Commerce promulgates standards of construction for the interstate system. States make applications for approval of projects. The projects must in the same way, meet the standards promulgated. In identically the same way the Secretary will promulgate standards for the regulation of advertising along the Interstate System. If the States wish to receive Federal aid in accomplishing the goal, they must comply with the standards.

Mr. HRUSKA. Precisely. Merely because there must be such compliance does not make it any less controlled by the Secretary of Commerce.

Mr. GORE. The control must be exercised by the States. It is the States that will buy the easements. It is the States that will exercise the police power to see that the goal is accomplished.

Mr. LONG. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG. Actually, do we not have many similar arrangements provided for in the Federal law? Let us take the welfare programs. If a State meets certain standards provided in the Federal law for welfare payments, the Federal Government will match the funds it pays.

Mr. GORE. That is also true of the hospital construction program.

Mr. LONG. If the States meet certain standards of the Federal law in providing public assistance, the Federal Government aids such States. In the case of unemployment benefits, States can provide assistance, and if they meet Federal standards, they receive Federal assistance. There are many instances of the Federal Government assisting States in carrying out their programs at the State level.

The same provision is already in the law with regard to highways. If a State in building highways meets certain specifications and standards, then the Federal Government will match funds provided by the State for that purpose.

Mr. GORE. The same principle applies to the hospital construction program.

Mr. LONG. The same thing is true with respect to Federal aid to hospitals. A similar situation prevails in the case of limited access highways. If a State proposing to build a limited access highway meets Federal standards, the Federal Government will provide matching funds.

What the Senator from Tennessee here proposes is more liberal than other arrangements, because States can decline to follow Federal standards. If the States prefer to do so, they will lose only a small percentage of the matching money.

May I ask the Senator how much the States would lose?

Mr. GORE. One-half of 1 percent.

Mr. LONG. A State can decline to follow the Federal standards. If it does so, it will lose only one-half of 1 percent in Federal funds.

Mr. GORE. Whereas, if a State declines to build an interstate highway equal to the Department of Commerce standards for which authorization is provided in the law, then the State loses the Federal funds for the interstate highway through it.

This precedent goes back many, many years. For instance, let me refer to vocational and agricultural training. Before becoming a Member of Congress I served my county as superintendent of education. I remember we wanted to obtain vocational and agricultural training in one of our high schools. To a certain degree it involved Federal aid to education.

What did we have to do? We had to meet certain standards. We had to employ a teacher with given qualifications. It was necessary to pay a given salary, a minimum of which was to be provided by the United States Department of Agriculture. It was necessary for us to have a classroom with adequate facilities, certain lighting in the classroom, and workshops. When we met those requirements we were then eligible to have a part of the salary of the vocational teacher paid by the Federal Government. That provision of law has been in effect about 40 years.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. GORE. I yield.

Mr. LONG. Actually, if a State decides not to follow the particular Fed-



eral standards which the Senator is recommending, there is some monetary saving, is there not? In other words, in some respects the State would save money, but the saving would be offset by the fact that the State would not receive quite as much matching money.

Mr. GORE. It might work out in some States that the actual advertising easement could be purchased within the limitation of 5 percent of the cost of the right-of-way, in which event the State would receive a bonus of one-half of 1 percent of the cost of those segments of the system not included.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. GORE. Yes.

Mr. LONG. The Senator's statement reminded me of a slogan which meant something to me. Most people want to do the right thing, but they oftentimes need a little encouragement. What the Senator is trying to do is to provide encouragement to the States to maintain the scenic values along the highways, I take it.

Mr. GORE. I am interested in the maintenance of scenic values, yes, but I wish to say, in all fairness to the Senator, that my support of the provision rests primarily on safety of traffic.

The esthetic values, scenic values, and historic values appeal to me strongly. When we understand that the system is to be one of expressways, and as each turnoff is approached on the right for the last 3 miles there will be an average of 10 official signs which it will be necessary for the driver to comprehend, in order to provide safety, we then realize, I think, the importance of the matter.

Let me point out to the Senator that traffic will be moving on these highways at a far greater rate of speed than on the ordinary highway. There will be 10 official signs it will be necessary for the driver to read before he reaches a turnoff. His vision must be kept clear, or else he may weave into the wrong lane of traffic. He may suddenly be approaching the turnoff without having read the signs and may jam on his brakes, only to be hit from behind. Perchance, if his vision is blurred or the official signs are obscured or dwarfed, he may drive completely by a turnoff and then have to go 25 or 50 miles to get back where he wanted to go. He may be tempted—as I have been tempted to do several times—to try to back up, or turn around to go the wrong way on a one-way expressway, inviting death for himself and other people traveling at the time.

Mr. LONG. The thought occurs to me if a man is faced with the possibility of having to go 25 miles out of his way if he misses a single turn, if he fails to see the sign which says he should get on the right-hand side to make the turn, there will be a strong temptation for him to turn abruptly across the fast-moving traffic coming from behind him.

Mr. GORE. I wish to read to the Senator from page 392 of the hearings which were held last year, from the testimony of Mr. Tallamy, Federal Highway Administrator:

Senator GORE. You testified this morning that at each turnoff, each point of egress

and ingress from the highways, to and from the highway, there would be a total of 20 official directional signs.

Mr. TALLAMY. Yes, sir.

Senator GORE. And I believe you testified that as one approaches a turnoff, on his right within the last 3 miles before reaching that turnoff there would be 10 official signs approximately 4 of which would notify the driver of service facilities—filling stations, restaurants, domiciliary accommodations, garages, et cetera.

How would a clustering or intensification of outdoor advertising within that last 3 miles affect the efficiency and service of the official signs?

Mr. TALLAMY. I think it would seriously impair the efficiency of the official signs. If the outdoor advertising sign was good at all, it would certainly attract the driver's attention and could very well be attracting it when an official sign ought to be making an impact on his mind and failing to do so would get him into trouble or beyond his turnoff point.

I am convinced that a mixing of outdoor advertising signs and of official signs would be very detrimental.

Does the Senator understand the point?

Mr. LONG. Yes. I understand.

Mr. GORE. It is possible for the Secretary of Commerce to promulgate standards with which the States can comply, thus obtaining the benefits without prohibiting commercial signs in the area. Where there are long stretches of highway without an interchange it will be possible for the Secretary to provide in his national standards the conditions under which a sign can be permitted or prohibited. Is that not correct, let me ask the Senator from California?

Mr. KUCHEL. The Senator is completely correct in his interpretation.

I should like to say, if the Senator from Tennessee will permit me, that I think the Senator from Louisiana [Mr. Long] has made some excellent points in support of the pending bill which the able chairman of the subcommittee is explaining.

Let me put my finger on one comment the Senator made. We listened to Bertam Tallamy tell of his experiences in New York State when the great New York Thruway was constructed. In purchasing the property required to be purchased for rights-of-way a single contract of purchase on many, many occasions would include the so-called advertising easement. Mr. Tallamy stated he was able—through the exercise of the right to buy the advertising easement as a part of the transaction with many of the farms through which the throughway was to run—to consummate in one agreement both the fee purchase of the right-of-way and the necessary easement. I think that points the way as to how other States might likewise negotiate, under the provision of the bill which enables some reimbursement to be made.

Mr. GORE. Let me say to the junior Senator from Louisiana that my principal concern is the area near the interchanges. Three years ago, when we began consideration of this new concept of highways, I expressed vigorous opposition to limitation of access. Some people have told me or telegraphed me to the effect that in this bill we are propos-

ing discrimination against outdoor advertising. We are not proposing discrimination. We are proposing regulation in the public interest.

I think we have gone pretty far. For the first time we have gone so far as to provide, in a Federal law, that a man who lives by the side of the road may not enter upon that public highway at will. He must enter the stream of traffic on it under regulated conditions, for his own safety and the safety of the traveling public. Though he may own a business or a farm or may live in a house beside this road, he may not use the road without going two or three miles, or more, to a point of access or a clover leaf, at which point he may enter the stream of traffic with safety to himself and the traveling public.

I say to the junior Senator from Louisiana that when we are impelled by the safety of traffic, with due regard to the safety of the traveling public, to try to cut down the tremendous loss of life and property caused by automobile wrecks, by providing limited access, even with respect to the man who owns land beside the road, we can, with equal justification, provide for regulation in regard to the signs which might be placed on the inside of a curve, or in the area of an interchange, and which might obscure the vision of drivers and interfere with the safety of traffic at that point. That is my primary concern. I would not diminish the desire to preserve the scenic beauty and historic values, but my primary concern is safety of traffic.

Mr. LONG. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG. Apropos of the Senator's point, in this bill the limited access provision might mean that a farmer whose son lived a mile down the road would be, in effect, 10 miles from his son by the time the highway was constructed between the 2 farms.

Mr. GORE. That might very well be.

It required a great deal of persuasion to change my mind on that point, but I finally became convinced that I was mistaken. It is pretty hard to persuade a Senator to admit that he is mistaken about anything.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. GORE. I will yield in a moment.

I finally became convinced that limited access was necessary to preserve the value of the public investment and to preserve the safety of traffic. That principle has been approved by the Congress. Now I think it is necessary to provide regulation of commercial advertising along the rights-of-way of these highways. The bill does not provide for prohibition, either by States or by the Federal Government. It does not provide for regulation by the Federal Government, but by the States.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. HRUSKA. Reference is made to the testimony of Mr. Tallamy in regard to the matter of safety, on the occasion when he testified, as quoted by the Senator from Tennessee. That was the first testimony in all the voluminous



hearings which we had to the effect that there was any indication of a detriment to the driver and to the safety of traffic by reason of billboard structures. The colloquy between Mr. Tallamy and myself, on page 391 indicates by his responses to the suggestion of the Senator from Nebraska that such was the fact, Mr. Tallamy said:

I don't know of any survey that has been made of outdoor advertising effects on express highways, and I am talking of express highways.

A little later he said:

I did admit that I know of no statistics, I know of no survey of the effect on safety of outdoor advertising on expressways, but I am giving you my sincere opinion on it, and I have traveled many, many, many thousands of miles under all conditions on express highways.

That was the only expression of opinion I found in all the voluminous hearings.

On the contrary, when we turn to the hearings in 1957, at that time we had the result of the studies by the Iowa State College and the University of Michigan, which show the contrary to be true. So if it is a matter of opinion against academic, scientific studies which have been made, plainly showing no detrimental effect of structures of that kind to safe driving, I am wondering what is the basis for the safety factors upon which the Senator from Tennessee so heavily relies. How much weight should be given to them?

Mr. GORE. I asked Mr. Tallamy, the Administrator, who previously had been administrator of the Thoroughway in the State of New York, his sincere opinion. He gave it. I rely on that.

I rely also on what I regard as common sense observation. The largest official sign, I believe, is about 13 feet high. If that must be in competition with a 50-foot billboard, neon-lighted, with a pretty girl with movable parts, I say that if the sign on the billboard is any good at all, it will attract attention; and such a sign would attract my attention.

Mr. HRUSKA. Would not the Senator also say that the pretty girl with the movable parts will not be alongside the 10-foot official sign? It will be somewhere outside and beyond the right of way, which is 330 feet wide, at a minimum, on all the interstate highway systems. So it is not a matter of having all the signs crowded around the turnoff, so that the view of the turnoff is obscured, and the attention of the driver is attracted to the advertising sign. It is moved away a considerable distance from any of the official signs, and therefore has no detrimental effect.

Mr. GORE. Let us think about that. Let us say that the right-of-way is 300 feet wide. I do not know how wide the center strip will be. At any rate, the driver will be traveling on the right hand side of the center. Let us say that he is traveling within 100 feet of the edge of the right-of-way. This chamber is only about 100 feet wide. The driver we are talking about is traveling at the rate of 75 miles an hour. He must comprehend, within the last 3 miles approaching

an interchange, 10 official signs. Suppose that, blinking in his eyes, are many commercial signs much larger, illuminated with flashing lights. It is only reasonable to anticipate that those who are professionals in the art of attracting attention will succeed to some extent in distracting the attention of the driver from the highway, from management of his vehicle, and from the reading of the official signs. If the advertising industry were not good enough to do that, it would not be interested in advertising along the highways.

Mr. HRUSKA. All the studies by the Iowa State College and the University of Michigan were concerned with rights-of-way less than 330 feet wide, and they came to a contrary conclusion, based upon surveys which tabulated all the accidents and the cause-and-effect factors involved in dangerous driving conditions. So I say it is pure conjecture, it is wishful thinking, and there is no basis of any kind in the evidence except the expression of opinion by Mr. Tallamy, which should cause us to accept the thesis of the Senator from Tennessee. The opinion of Mr. Tallamy must be weighed against the scientific surveys, the results of which were carefully tabulated and carefully weighed in every regard.

Mr. GORE. There has been no official survey of traffic or advertising on a national system of limited-access interstate and defense highways, because we have had no such system. We are now undertaking to construct such a system. I submit that it must be viewed as a different kind of highway system. It is a new concept. It is a concept of expressways on which the traffic will move at much greater speed, and on which there will be cloverleaf access and egress points. It is particularly in this area that the greatest caution must be exercised lest these interchanges become death traps rather than safe, regulated means of ingress and egress.

Mr. HRUSKA. The survey and study made by the University of Michigan, and conducted by Mr. J. Carl McMonagle, assistant director of the Traffic Planning Division of the Michigan State Highway Department, and a member of the President's Highway Safety Conference, is to an extent an official survey. A thorough study of the subject was made. The study which was conducted by Iowa University was, as the study itself states, a part of some 250 programs in this area, the results of which have been published. It was not wishful thinking or an expression of opinion. It was a tabulation and a scientific analysis.

Mr. GORE. What I am pleading for is the passage of a bill which will encourage the States to provide not prohibition but regulation and control, so that the outdoor advertising industry will find it necessary to obtain official consent to place their advertisements in accordance with a pattern which will provide safety and conservation of the beauty of the landscape.

I am pleading for the passage of a bill which will encourage the States to enact and provide the necessary regulation and control, to prevent the indiscriminate and unsafe location of bill-

boards. That is all I desire to accomplish.

Mr. KERR. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. KERR. Under the standard of specifications in the bill, the boards cannot be more than 500 square inches. Is that correct?

Mr. GORE. Yes; they can be.

Mr. KERR. Will the Senator show me the language in the bill which permits them to be other than that, if they are regulated and controlled?

Mr. GORE. I shall be glad to do so. The language is on page 21:

It is hereby declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within 650 feet of the edge of the right-of-way and visible from the main traveled way of all portions of the Interstate System should be regulated—

Mr. KERR. I ask the Senator to read on.

Mr. GORE. The language continues: consistent with national standards to be prepared and promulgated by the Secretary, which shall provide for—

Mr. KERR. No. 3.

Mr. GORE. Before I go to No. 3, let me point out that "regulated" does not have the connotation of prohibition. It connotes discretionary power.

Mr. KERR. In whom?

Mr. GORE. In a State authority.

Mr. KERR. Where is that State authority named? Where are the words in the bill with reference to the State authority?

Mr. GORE. All regulation to be accomplished by the bill is to be accomplished by the States who enter into an agreement with the Secretary of Commerce.

Mr. KERR. And "consistent with national standards to be prepared and promulgated by the Secretary." That is what the bill says. I read further:

Which shall provide for:

(3) Signs not larger than 500 square inches advertising activities being conducted at a location within 12 miles of the point at which such signs are located.

Mr. GORE. The paragraphs (1), (2), (3), and (4) describe types of signs for which provision must be made in the standards to be promulgated.

Mr. KERR. Regardless of who regulates them.

Mr. GORE. That is correct.

Mr. KERR. The regulation must be consistent with national standards to be prepared and promulgated by the Secretary, which shall provide for signs not larger than 500 square inches, and such advertising activities are to be conducted at a location within 12 miles of the point at which signs are located.

I ask my good friend in all sincerity to tell me if that does not mean what it says? First, what does it mean and, second, why is it in the bill if it is not to be effective?

Mr. GORE. I shall be very glad to undertake to say what my interpretation of the whole section is.

Mr. KERR. Would the Senator limit it, to begin with, to paragraph (3), be-



ginning at line 18 on page 21, and the words in line 11 which read "should be regulated, consistent with national standards to be prepared and promulgated by the Secretary, which shall provide for", and so forth, and then read paragraph (3)?

Mr. GORE. We will begin with line 13. I am sure the Senator wants me to give as clear an explanation as I can. Beginning with line 13 it will be noticed that the regulations shall provide for—

Mr. KERR. What?

Mr. GORE. The succeeding four paragraphs. However, signs which are not mandatorially provided for in paragraphs (1), (2), (3), and (4) may be provided for under the interpretation of the words, in line 11, "should be regulated."

Mr. KERR. It says the signs "should be regulated," but the regulation shall be consistent with "national standards to be prepared and promulgated by the Secretary, which shall provide for signs not larger than 500 square inches." That is a limitation. That is a definition. That is a prescription of one of the things for which the regulatory rules shall provide.

Mr. GORE. This is a requirement of the regulation, not a limitation of it.

Mr. KERR. That is correct. The controlling authority could require the signs to be smaller, but could—

Mr. GORE. And larger signs may be permitted.

Mr. KERR. Not at all; not under the language of the bill.

Mr. GORE. I respectfully disagree.

Mr. KERR. What is the significance of the language that the signs shall not be larger? It states that they shall not be larger than 500 square inches.

Mr. GORE. What I have tried to point out to the Senator—

Mr. KERR. That is 20 inches long and 25 inches wide, or vice versa.

Mr. GORE. Paragraphs 1, 2, 3, and 4 on page 21 are mandatory provisions of the regulation.

Mr. KERR. That is what I am trying to point out to the Senator from Tennessee, that they are mandatory.

Mr. GORE. Yes; they are mandatory.

Mr. KERR. They are mandatory.

Mr. GORE. Though it is not mandatory that other signs be permitted, the standards may permit other signs, if I may use that word.

Mr. KERR. Show me the word "permit." The language says that the regulation should be consistent with the standards set forth and provides for signs not larger than 500 square inches.

The Senator from Tennessee himself has said that that is mandatory, and that is what the Senator from Oklahoma says. If it is mandatory, and if it must be provided that signs shall not be larger than that, does the Senator from Tennessee suggest that there can be provisions inconsistent with that regulation?

Mr. GORE. Let me clarify what I mean by "mandatory." I mean it is mandatory that the Secretary provide in his regulations for certain advertisements to come within the terms of paragraphs (1), (2), (3), and (4). But pro-

vision may be made for advertising signs consistent with safety and the preservation of beauty, somewhat larger than those described under the terms which I have read on line 18, page 21.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. KUCHEL. I may say that where on page 21, line 18, paragraph (3) appears, it is obviously necessary to read that entire provision in order to see to what the 500 square inch provision refers. A reading of the entire sentence indicates:

Signs not larger than 500 square inches advertising activities being conducted at a location within 12 miles of the point at which such signs are located.

Mr. GORE. These provisions are placed in the bill to make certain that a local tourist motel or other local facility can be advertised. The Secretary of Commerce can provide standards which, under specified conditions, would permit larger advertising signs than are here mandatorily provided for and than are here specified as a necessary part of the regulations. Does the Senator from California agree?

Mr. KUCHEL. Yes, I do, because paragraph (3) refers to the specific proviso which constitutes a part of the national policy. But to recognize what the national policy is, obviously all parts of the provision must be read together.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. HRUSKA. I must confess that I am baffled. The language plainly states that national standards must provide that the signs shall not be larger than 500 square inches. The Senator from Tennessee says that is correct, and that it is mandatory; but that the Secretary of Commerce may allow larger signs if he wants to.

Why in the world is the provision in the bill in the first place, if the Secretary may allow larger sign? Where is the mandatory part if he is given discretion to allow larger signs?

Mr. GORE. I have tried to say to the Senator that these specific types of signs are those which the regulations must provide for, as a minimum, to insure that local businesses may be permitted to advertise.

Mr. HRUSKA. What is the maximum? How large can a sign be? The provision says it must be not larger than 500 square inches.

Mr. GORE. If the Senator will read again, on line 11, "consistent with national standards."

Mr. HRUSKA. One of the standards is 500 square inches.

Mr. GORE. It says, "consistent with national standards to be prepared and promulgated by the Secretary."

Mr. KERR. Now read the rest of the language.

Mr. GORE. What are the national standards?

Mr. HRUSKA. Paragraphs (1), (2), (3), and (4).

Mr. GORE. Oh, no. In the national standards, "which shall provide for"; it does not say that is all that can be provided for.

Mr. HRUSKA. Very well. The language provides for signs not larger than 500 square inches. What else can be provided for as to size?

Mr. GORE. It "may" provide; not "shall". It shall provide for those things contained in paragraphs (1), (2), (3), and (4), but the regulations may provide for other types of signs.

Mr. HRUSKA. Where does the Senator find "may" in the language? Will the Senator point it out?

Mr. GORE. Will the Senator give his interpretation of "regulate"?

Mr. HRUSKA. The use of the word "regulate" here is completely out of place.

Mr. GORE. Will the Senator give his interpretation of the word "control"?

Mr. HRUSKA. "Control" means to influence within a certain confine of activity.

Mr. GORE. Does either the word "regulate" or the word "control" mean "prohibit"?

Mr. HRUSKA. No, not in and of themselves. But when the language provides for regulation to a size of 500 square inches, and that is one of the standards provided, I cannot interpret that as meaning that it may also include signs of 5,000 square inches.

Mr. GORE. I do.

Mr. HRUSKA. The Senator from Tennessee does. Where is the permissive language?

Mr. GORE. The author of the amendment so agrees.

Mr. HRUSKA. Then, I ask what is the sense of having subparagraph (3), which provides for "signs not larger than 500 square inches"?

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. GORE. I yield to the Senator from California, who is one of the authors of the amendment.

Mr. KUCHEL. I think a part of the unfortunate misinterpretation by my friends with respect to the phrase "500 square inches" is that they feel in some ways that the phrase "500 square inches" may be interpreted as applying to paragraphs (1), (2), and (4), which it does not. The legislative intention, as evidenced by the Senate debates, may be helpful on the point. I am certain that the committee would overwhelmingly agree that it does not.

When the Senator from South Dakota offered the 500-square-inch amendment, I opposed it, but the amendment was adopted by a majority vote, and it was in that fashion that it came to the floor.

Mr. HRUSKA. May I ask why the Senator from California opposed the amendment? What were his reasons for opposing it?

Mr. KUCHEL. Because, as I participated in drafting the bill, it was, to my way of thinking, without that provision, a little more precise, a little more clear.

Mr. KERR. Mr. President, will the Senator yield at that point?

Mr. KUCHEL. No. But when the committee added to the amendment paragraph (3), there was no question that that meant that a man who owned a business alongside a highway would have a right to advertise that business not only on his property, but also within



12 miles of his property. That was what the Senator from South Dakota was trying to do. So that is what the committee approved.

But beyond all that, there is, it seems to me, a clear right on the part of any State which enters into an agreement with the Federal Government to exercise its constitutional authority reasonably under paragraphs (1), (2), and (4). Those paragraphs read together demonstrate that portion of the national policy which is outlined in the four paragraphs.

Mr. HRUSKA. If I may interrupt, subsection (4) reads:

Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

Mr. KUCHEL. Correct.

Mr. HRUSKA. One of the standards of the section is that signs not larger than 500 square inches may be erected.

If the section does not mean they are limited to 500 square inches, will the Senator explain how large they can be?

Mr. KUCHEL. I think a reasonable interpretation of the national policy and standards set forth in the bill contemplates generally a protection of the Interstate Highway System for a distance of 660 feet from the roadbed itself. As I have said, that is the general rule. Then, in an attempt to arrive at a reasonable policy, various exceptions are made to the general policy. To me, that is a fairly clear indication of what has attempted to be done in the bill.

Mr. HRUSKA. And the word reasonable has been defined in no uncertain terms as meaning a sign not larger than 500 square inches.

Mr. KUCHEL. In what instance?

Mr. HRUSKA. In any instance.

Mr. KUCHEL. No; I deny that; I do not agree at all.

Mr. HRUSKA. Where is the provision that such a sign may exceed 500 square inches in size?

Mr. KUCHEL. There is no provision about exceeding 500 square inches in size, if the Senator is talking about the authority contained in paragraph (3).

Mr. KERR. Where is it provided in any other part of the bill?

Mr. KUCHEL. It is not provided in any other part, I may say to my dear friend from Nebraska.

Mr. KERR. So there is the prohibition in paragraph (3), and there is no escape from it by means of any other portion of the bill. Therefore, it has to apply.

Mr. GORE. No; that is not the case.

I read from page 21, beginning on line 6:

It is hereby declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within 660 feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System should be regulated—

Mr. KERR. Is there a period at that point?

Mr. GORE. There is a comma there.

Mr. KERR. Then something follows, does it not?

Mr. GORE. Yes.

Mr. KERR. What is it?

Mr. GORE. The provisions about what the regulations must include.

Mr. KERR. The provisions about what the regulations shall provide for, or what they must include?

Mr. GORE. The provisions about what the regulations must provide for; and the general rule of regulation within 660 feet is the principle—

Mr. KERR. I wish to say to the Senator from Tennessee that I could not be in more complete accord with him. They would have the right of regulation beyond what is included in paragraphs (1), (2), (3), and (4). The regulations must be "consistent with national standards which shall provide for"—now, let us read what follows:

(1) Directional or other official signs or notices that are required or authorized by law.

If they are authorized or required by law, this language will not remove them. But certainly it does not apply to billboards.

Then we find the following:

(2) Signs advertising the sale or lease of the property upon which they are located.

In other words, if a man owns some land along a right-of-way, he can put one kind of sign on it, according to that paragraph; namely, a sign whereby he offers the piece of property for sale or for lease.

So, if it is not a directional or official sign required by law, and if it is not a sign which would advertise the sale or lease of the property upon which it is located, then they must be—

(3) Signs not larger than 500 square inches—

And even then they can be only those—advertising activities being conducted at a location within 12 miles of the point at which such signs are located.

That is why I ask my friend, the Senator from Tennessee [Mr. GORE], whom I know to be sincere, and my good friend, the Senator from California [Mr. KUCHEL], whom I know also to be sincere, this question: Since that language is mandatory, as the Senators have said, and since the proposed law states that this must be provided for, where is there any escape from it?

Mr. GORE. We have been over this point many times.

Mr. KERR. But the Senator from Tennessee has not yet shown any language which provides for any escape from it.

Mr. GORE. That has principally been because I have been unable to explain it satisfactorily to the Senator from Oklahoma.

Mr. KERR. I do not want an explanation—I merely ask the Senator from Tennessee to show me the language.

Mr. GORE. Very well; I shall do it once again.

The provisions on page 21, from line 14 through line 24, including paragraphs (1), (2), (3), and (4), set forth the conditions for which the standards promulgated by the Secretary of Commerce shall provide. But the regulations and the

standards are not limited to these four numbered paragraphs.

Mr. KERR. But they must include them, must they not?

Mr. GORE. They must permit them.

Mr. KERR. Oh, no.

Mr. GORE. Or they must provide for them.

Mr. KERR. Yes, they must provide for them.

Mr. GORE. Yes. But these four are not exclusive.

Mr. KERR. The Senator from Tennessee is correct.

Mr. GORE. None of these four is exclusive of other standards which the Secretary of Commerce is authorized to promulgate.

Mr. KERR. But where is the authority which would permit the Secretary of Commerce, after having prescribed that the signs shall not be larger than 500 square inches in size, to have a larger one erected?

Mr. GORE. The bill does not say that there shall be none larger than that.

Mr. KERR. It says "which shall provide for" signs not larger than that.

Where is the language which provides for those which are larger than that?

Mr. GORE. Very well; I shall be glad to read it to the Senator from Oklahoma; it is in lines 11 and 12 of the same page—page 21:

The Interstate System should be regulated, consistent with national standards.

Who will prepare those national standards? Who will promulgate those national standards?

Mr. KERR. The Secretary of Commerce, despite the fact that a moment ago the Senator from Tennessee said that would be done by the State highway departments.

Mr. GORE. No; I did not say the standards would be promulgated by the State highway departments. I said the regulation would be accomplished by the States.

I am sorry that I am unable to persuade my distinguished friend, the Senator from Oklahoma, what this part of the bills means. But at least my interpretation of it is concurred in by the two authors of the amendment; and I know of no other members of the committee—except the senior Senator from Oklahoma [Mr. KERR] and the senior Senator from Nebraska [Mr. HRUSKA]—who are in disagreement. There may be others who are in disagreement.

Mr. HRUSKA. Mr. President, if the Senator from Tennessee will yield to me, let me say that I am sure he is familiar with the rule regarding the use of legislative history which develops on the floor of the Senate, namely, that if there is any uncertainty as to the meaning of the language of a statute, then one turns to the legislative history which may be made on the floor of the Senate. But if there is no uncertainty as to its meaning, my understanding is that what is said on the floor of the Senate is then disregarded.

Where is the uncertainty about "signs not larger than 500 square inches" in size, which would require reference to be made to the debate occurring on the floor of the Senate?



Mr. GORE. I suggest that the Senator from Nebraska read the RECORD tomorrow, and he will find numerous references.

Mr. HRUSKA. Can the Senator from Tennessee refer to 1 or 2 of them at this time?

Mr. GORE. I have just done so.

Mr. HRUSKA. The Senator from Tennessee said that when the bill refers to a sign not larger than 500 square inches in size, it means something else; is that what the Senator from Tennessee has said?

Mr. GORE. I say to the Senator from Nebraska that these are the things for which the standards must provide:

The right of a local business to advertise.

The right of a person who has a piece of property for sale along the right-of-way to advertise it for sale.

The right of one who operates a business within a certain distance of the highway to advertise it with signs of the dimensions herein stated.

Mr. KERR. Signs of what dimensions?

Mr. GORE. But these 4 paragraphs are not exclusive.

Mr. HRUSKA. Then what may be used?

Mr. GORE. What does the Senator from Nebraska mean?

Mr. HRUSKA. The Senator from Tennessee just said that these 4 paragraphs on page 21 are not exclusive, and that something more may be done.

Mr. GORE. That is correct.

Mr. HRUSKA. Will the Senator from Tennessee tell us what more may be done?

Mr. GORE. That will be found in the 3 previous lines—lines 11, 12, and 13 on page 21.

Mr. HRUSKA. Then what more may be provided?

Mr. GORE. The standards must provide—let me read the provisions again.

Mr. KERR. Mr. President, at this point will the Senator from Tennessee yield to me?

Mr. GORE. No, not at the moment.

Mr. KERR. Very well.

Mr. GORE. I now read from page 20, beginning in line 23:

To promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investment in the National System of Interstate and Defense Highways, it is hereby declared to be in the public interest to encourage and assist the States to control the use of and to improve areas adjacent to that system by controlling the erection and maintenance of outdoor advertising signs, displays, and devices adjacent to that system. It is hereby declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within 660 feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System should be regulated—

Mr. HRUSKA. "As follows."

Mr. GORE. No—

consistent with national standards to be prepared and promulgated by the Secretary, which shall provide for

Then there are the four numbered paragraphs.

Mr. HRUSKA. Which shall provide—

Mr. GORE. But, I repeat, they are not exclusive, and if the Senator will give any reasonable interpretation to the provision, I think he will be in serious doubt as to the correctness of his position.

Mr. HRUSKA. I ask for the 18th time, having heard read 18 times the section which provides the minimum standards, what other standards may be added, and by whom?

Mr. GORE. Other signs consistent with the standards to be promulgated by the Secretary of Commerce may be permitted in the reaching of an agreement between the Secretary of Commerce and the States.

Mr. HRUSKA. So that if the Secretary of Commerce and any one of the 48 States get together, they can disregard subparagraph (3) and say, "We are not going to regard 500 square inches as the maximum."

Mr. GORE. That was not my statement at all.

Mr. HRUSKA. What may they do?

Mr. GORE. I repeat, the Secretary of Commerce is authorized to promulgate standards.

Mr. HRUSKA. In addition to the ones listed herein, what other standards may he promulgate?

Mr. GORE. To promulgate standards which may include provisions other than subsections (1), (2), (3), and (4), on page 21 of the bill, but which must provide for subsections (1), (2), (3), and (4), on page 21 of the bill. Is that plain?

Mr. HRUSKA. Yes, so far as it goes.

Mr. GORE. How much farther does the Senator wish me to go? Does he wish me to go to some highway and measure a signboard?

Mr. HRUSKA. I submit the question has not been answered. What else may be provided for in addition to subparagraphs (1), (2), and (4)? What does "standards" mean?

Mr. GORE. I am incapable of giving the Senator a better explanation than I have. I suggest and request that he read the RECORD tomorrow. I believe he will find his mind satisfied.

Mr. HRUSKA. I submit the Senator has not answered the very simple question as to what other standards may be agreed upon between the Secretary of Commerce and the State highway departments. The question has not been answered. The Senator may ask to have the RECORD read again and again, but the answer to that question has not been given.

Mr. GORE. The detailed provisions of the broad standards are not spelled out. That is left to the Secretary of Commerce. But some of the types of signs for which the standards must provide are spelled out.

Mr. KERR. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. KERR. Could the Secretary, under this authority, permit signs of 500 square feet in the area 660 feet on either side of an Interstate System road for which contracts have been made with the State highway departments?

Mr. GORE. In accordance with policy, the Secretary of Commerce is authorized to promulgate national standards.

Mr. KERR. I understand, but will the Senator answer the question? Could the Secretary of Commerce, under the bill, permit signs up to 500 square feet within the area of 660 feet on either side of a highway?

Mr. GORE. The standards must be promulgated on a national basis.

Mr. KERR. Could such signs be promulgated on that basis?

Mr. GORE. I should think it would be incumbent upon the Secretary of Commerce to promulgate standards which are within the bounds of reason. I do not know what conditions might obtain which would justify a regulation permitting a sign of 500 square feet.

Mr. KERR. I am not asking if it would be justified. I am asking the Senator if, in his opinion, under the language of the bill, the Secretary could issue regulations which would permit signs up to 500 square feet in the area of 660 feet on either side of the highway?

Mr. GORE. If standards providing for the erection of such a sized billboard were reasonable, yes. If not, I should think—

Mr. KERR. Reasonable in whose opinion? The Secretary is granted certain authority in the bill, is he not?

Mr. GORE. Yes.

Mr. KERR. He cannot have any authority beyond what is herein provided with reference to the program. Is that correct?

Mr. GORE. The Senator is correct.

Mr. KERR. Under that standard, is it the Senator's opinion that if the Secretary decides it is reasonable, he has the authority, under this bill, to say signs up to 500 square feet in size can be erected within 660 feet of either side of the highway?

Mr. GORE. I am not willing to hazard a guess on what would be reasonable.

Mr. KERR. No, I did not ask the Senator what he thought was reasonable. I asked him if he believed the Secretary had the authority, under the bill, to permit signs up to 500 square feet in size.

Mr. GORE. If the Secretary of Commerce should determine that it is reasonable, consistent with safety and the preservation of beauty of the landscape, to permit a sign 20 by 20 feet, which would be 400 square feet—

Mr. KERR. I said 500 square feet.

Mr. GORE. Very well, 500 square feet, in an area between the turnoffs, not at the brow of a hill, not on an inside curve, not at a point which would obstruct the beauty of the landscape. I should think it would be within the power of the Secretary of Commerce so to provide in the standards.

Mr. KERR. Mr. President, will the Senator yield further?

Mr. GORE. I yield.

Mr. KERR. Would the Secretary of Commerce under the language have authority to prescribe that signs up to 1,000 square feet could be erected on the right-of-way?

Mr. GORE. I shall not engage in the exercise of imagination as to when, in



an arithmetical projection, the size of a sign would become unreasonable.

Mr. KERR. The Senator was not asking about what was reasonable.

Mr. GORE. I think the exercise of authority must meet the rule of reasonableness. It is not to be presumed otherwise.

Mr. KERR. Whose standard of reasonableness?

Mr. GORE. In the final analysis, it would have to be the standard of the courts of the land.

Mr. KERR. That was the question I was about to ask the Senator. The Senator has said under the language the Secretary could permit erection of signs up to 500 square feet.

Mr. GORE. I have said he could, under certain conditions, if consistent with the national policy.

Mr. KERR. The Senator said the Secretary would have that power under the language of the bill.

Mr. GORE. I believe he would.

Mr. KERR. That would be true with reference to the Secretary in office when the bill was passed.

Mr. GORE. The Senator is correct.

Mr. KERR. Would a subsequent Secretary have authority to change that?

Mr. GORE. That would constitute abrogation of the agreement, if a State had entered into an agreement.

Mr. KERR. The agreement would permit the Secretary to authorize erection of signs up to such size, and the Secretary now in office, let us assume, did permit them. Since it was not a requirement that he had to, but a permission that he could, would the next Secretary of Commerce then be authorized to change that?

Mr. GORE. Without all of the hypotheses, let me make a statement as to what I believe would be the situation. I do not intend my statement to be an answer to all the hypothetical situations the Senator has mentioned.

Mr. KERR. I was trying to limit it, not to broaden it.

Mr. GORE. Very well. I was not sure exactly which was the case.

Had the State entered into an agreement with the Secretary of Commerce with respect to standards promulgated by the Secretary of Commerce, then a contract would exist, of course, between the State and the Secretary of Commerce or the Department of Commerce. I do not think the present Secretary of Commerce could subsequently, or that some subsequent Secretary could, modify the standards and thereby abrogate the agreement. I think that the present Secretary could subsequently, or a subsequent Secretary could, modify the standards which would be effective on future agreements between the Secretary and any State.

Mr. KERR. Mr. President, will the Senator yield further?

Mr. GORE. I yield.

Mr. KERR. Would the Senator be willing to cosponsor an amendment to change the 500 square inches to 500 square feet?

Mr. GORE. No; I would not.

Mr. KERR. If the Secretary has authority under the bill to authorize signs

up to 500 square feet, why would the Senator not be willing to put that into the bill?

Mr. GORE. I would not be willing to put it into the bill because if we changed the 500 square inches to 500 square feet we would then require that the standards provide for a sign of such a size, whereas if we leave it as it is—

Mr. KERR. Not at all, because the language says "not larger than." The language does not say it must be that size, but says "not larger than."

Mr. GORE. I will not disagree with the language there.

Mr. KERR. Is that what the language says?

Mr. GORE. That is what the language says.

Mr. KERR. Then I ask my good friend, since in his opinion under the language the Secretary can prescribe signs not larger than 500 square feet, is he willing for the language of the bill so to state?

Mr. GORE. It is unnecessary for the language so to state, to provide that signs may be regulated to that extent. I would not want to see that dimension written into the provisions as a mandatory requirement of the standards.

Mr. KERR. The Senator does not want anything to be left to caprice?

Mr. GORE. No.

Mr. KERR. Or to guesswork?

Mr. GORE. But I want something left to discretion.

Mr. KERR. If there is something left to discretion, and if in the opinion of some Senators the language limits the discretion to signs not larger than 500 square inches, and if the Senator from Tennessee and the authors of the amendment, the Senator from California [Mr. KUCHEL] and the Senator from Oregon [Mr. NEUBERGER], think under the language the Secretary can authorize signs up to 500 square feet, why would not the Senator be willing to use such language in the bill, so as to remove the doubt, so that people would not have to depend upon legislative history to get that benefit from the bill, which might be denied to them by the language of the bill, if it should be enacted?

Mr. GORE. We are now back once again to the point of citing the difference.

Mr. KERR. I do not care about citing the difference.

Mr. GORE. Very well.

Mr. KERR. I asked the Senator why he would not be willing to put into the language of the bill the power which he says he believes to be inherent.

Mr. GORE. I have answered the Senator that the subsections (1), (2), (3), and (4) are requirements of the standards but not exclusive limitations of the standards, because the regulation of advertisements within the 660-foot area is a matter involving the exercise of some discretion in promulgation of standards which are implemented by agreement.

Mr. KERR. Then why not limit (1), (2), (3), and (4)?

Mr. GORE. It is a matter of discretion and agreement. There is some discretion as to the national standards and there must be agreement between the

States and the Secretary of Commerce.

Mr. KERR. If the Senator does not believe paragraph (3) is binding or controlling, and if he is willing for the power to be greater than that, why not eliminate paragraphs (1), (2), (3), and (4), or put into them the extent of the power which the Senator says, in his judgment, is given to the Secretary under the provisions of the bill?

Mr. GORE. I have tried several times to answer, and I hope the Senator will be satisfied with such answer as I can give him.

Mr. KERR. I want to relieve the Senator of any further burden, and I thank the Senator for his patience in answering the questions.

Mr. GORE. But the Senator is still not satisfied?

Mr. KERR. If the Senator does not care either to put the language in the bill to mean what he says he thinks it means, or to eliminate any language from the bill which evidently means something different from what he says it means, then I would say no profit would accrue from further questioning.

Mr. GORE. I would have some disagreement with the accuracy of the word "evidently."

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. GORE. I yield.

Mr. LANGER. I notice that in response to a question from the Senator from Oklahoma the Senator stated that the Secretary of Commerce could modify an agreement. Could the Secretary do that, in the opinion of the Senator, unilaterally?

Mr. GORE. The standards are to be promulgated by the Secretary of Commerce, but in the event an agreement has been reached between the Department of Commerce and a State, it is not my view that the agreement could be unilaterally breached.

Mr. LANGER. I am very glad to hear the distinguished Senator make that statement, because I received exactly the opposite impression from what the Senator said in response to a question by the Senator from Oklahoma [Mr. KERR].

Mr. GORE. The establishment of Federal standards is a function of the Federal Government, whether such standards be set out in laws enacted by the Congress or whether they be provided by an administrative authority, subject to the grant of authority contained in Federal law. The provision of Federal standards is a Federal function. Compliance by a State with such standards in this case is a question for decision by the State. If the Department of Commerce provides the standards which must be met in order that a State may qualify for the benefits, and a State elects to qualify and does qualify, and reaches an agreement, that agreement cannot be breached unilaterally.

Mr. LANGER. I am entirely satisfied with the answer of the distinguished Senator.

Mr. GORE. Mr. President, this is a moderate provision. Moreover, it applies only, as the junior Senator from South Dakota [Mr. CASE] has already said, to the Interstate Highway System,



most of which will be on new locations. I point out that the Interstate System will be only about 1 percent of the total road mileage in the United States. It is with respect to the 1 percent that we have debated at such great length.

The policy will apply in no way whatsoever to the remainder of the Federal-aid highway systems, or to any other highway or road under the control of States and local bodies.

The policy guidelines laid down in the bill explicitly recognize and make provision for essential official signs, signs advertising the sale or lease of property on which they are located, signs of limited size advertising activities within 12 miles of the signs, and other signs erected in accordance with State law which are of specific interest to the traveling public. These policy standards would not exclude all advertising from the area adjacent to the right-of-way. On the contrary, appropriate signs under appropriate conditions would be permitted. Furthermore, Mr. President, provision is made for the exclusion, even in those States wishing to implement these standards, of those segments of the Interstate Highway System lying within the borders of incorporated municipalities, or which are otherwise subject to State or local zoning provisions.

I repeat, Mr. President, this is a moderate provision. It is a reasonable provision. It directs the Secretary of Commerce to promulgate reasonable standards in accordance with the policy set forth, and to authorize the Secretary to enter into agreements with those States which wish to comply with those standards. It offers incentive payments to encourage the States to agree to take appropriate action. Under the bill, a State may proceed either under its police powers, by acquiring advertising easements, or by a combination of both these methods, or it may take no action whatever, as the State may choose. If the State should elect to proceed by acquiring easements, the cost of such acquisition, within reasonable limits, would be considered as a part of the cost of construction of that segment of the highway, with the Federal Government paying its pro rata share of the cost of acquiring the easements. Nowhere in this provision, Mr. President, is there any manifestation of an oppressive hand of Federal regulation.

We propose to expend vast sums of money, Mr. President, in the construction of this magnificent system of interstate highways. The overriding purpose of such construction is to provide for the safe and efficient movement of traffic from place to place. I fully support the concept that we should preserve areas of scenic beauty and historic sites through which these highways will pass. These esthetic values appeal to me strongly. But my support for this provision does not rest principally on esthetic grounds. Testimony presented to the Public Works Committee, in my opinion, is persuasive evidence that unrestricted use of billboards along our highways will impair their safety features and retard the smooth flow of traffic.

Like other Senators, I have within the past few days received numerous letters and telegrams alleging that this proposal, if adopted, would be discriminatory against the outdoor advertising industry. In the first place, as I have already pointed out, the entire proposal would be applicable only to the new system of interstate and defense highways. These highways will be constructed in large measure on new locations. Except for the construction of these highways, at public expense, the land adjacent thereto would have no value as sites for advertising signs.

Secondly, for those who choose to regard reasonable regulation of outdoor advertising along these new highways as being discriminatory, I should like to direct the attention of the Senate to a much more extreme regulatory measure which is inherent in this new system of highways and which this Congress has already approved. We are undertaking to build a system of public highways but we have provided, Mr. President, that an American citizen whose home or whose place of business is alongside this free public highway shall be denied the right to enter upon and use it, unless he enters at certain designated points where he can enter the line of traffic under regulated conditions which promote traffic safety for him and others using the highway. Initially, I was opposed to this concept of limited access. Later, after having listened to the evidence, I became convinced that limited access was absolutely essential in the interest of safety and efficient movement of traffic. I am likewise convinced, Mr. President, that these same considerations make necessary the regulation of outdoor advertising, particularly so along those portions of the highway near points of ingress and egress.

These are not to be ordinary roads, Mr. President. As I have said, they will be limited-access roads and traffic will move at a rate considerably faster than on those roads for which access is uncontrolled. To permit the smooth flow of traffic, numerous official signs will be required, particularly in areas approaching points of ingress and egress. The Federal Highway Administrator testified before our committee that approximately 20 such signs would be required within about 3 miles of each interchange. The purpose of these signs, Mr. President, is to provide directions to the traveling motorist. They are ineffective unless they can be read. They cannot be read and understood if they are intermingled with, or dwarfed by, larger commercial advertising signs which are designed to attract the motorist's attention.

And so I say, Mr. President, that it is reasonable to regulate the erection of commercial signs in areas adjacent to the right-of-way in order to preserve the safety features of these highways and to insure maximum efficiency for the movement of traffic. I shall support section 12 of the bill for these reasons, and I urge other Members of the Senate to do likewise.

Mr. President, S. 3414 as amended by the Public Works Committee is a com-

prehensive highway bill tailored for current requirements. I am gratified that all of its provisions relating directly to the construction of highways received the unanimous support of all of the members of the committee on both sides of the aisle. It reflects our collective judgment as to what action should be taken at this time to accelerate the program. I am personally grateful to each member of the committee for having participated in our lengthy hearings and for having given unstintingly of their time and their energies in fashioning the final results. Our highway program has always been a bipartisan program, and I am glad it remains so. Neither the benefit flowing from adequate highways nor the credit for their construction belongs exclusively to any group or to any political party.

This bill, Mr. President, will keep our Interstate Highway construction program on its planned schedule as provided in the act of 1956. I have already referred to the fact that our economy needs stimulating by sound governmental action and that this bill will provide such stimulation in the form of jobs and in the form of increased business activity. It is fortuitous that with our economy in its current condition we should have available a program on which advanced planning has been accomplished and which can be accelerated immediately in the public interest. It is a major step toward putting America back to work.

But, Mr. President, I do not rest my case for this bill on the immediate economic benefit derived from additional jobs in the highway construction industry and in other industries associated with this activity. This is a bill for the building of roads. The funds authorized in this bill are a sound investment in the future of America—an investment which will pay ever-increasing dividends in the years ahead.

During the delivery of Mr. GORE's speech:

Mr. BUSH. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. BUSH. If the Senator will bear with me for 3 or 4 minutes, I think I can dispose of one matter which is in the form of an amendment. I wish to ask the Senator a question, and I wish to say by way of preface that it refers to the amendment which I have submitted, but which I do not intend to call up. It is designated as "3-21-58-C." This amendment is somewhat different from the bill which I introduced, and upon which hearings were held before the Senator's committee.

Mr. GORE. Does the Senator have more than one amendment prepared for offering?

Mr. BUSH. No. My purpose was to avoid taking time later to dispose of the amendment. I think we can do so in a few minutes without embarrassment to the Senator.

Mr. GORE. I yield with pleasure. The able senior Senator from Connecticut was a member of the Public Works



Committee and the Public Roads Subcommittee for 4 years, I believe.

Mr. BUSH. That is correct.

Mr. GORE. It was with great pleasure that I served with him on that committee.

Mr. BUSH. I thank the Senator for his very generous comment. As the man on the radio said, "This is Mutual."

I have been sorry many times that I have not remained on the committee. Of course, I have followed the deliberations of the committee much more closely than I would have if I had not been a member of it for a long time.

Mr. GORE. I can assure the Senator from Connecticut that he may return to the committee at any time, with only a slight loss of seniority. I am afraid we would have to insist on having him go to the foot of the class.

Mr. BUSH. I thank the Senator for his kind assurance. I should like to say that the amendment to which I have referred proposes to do three things.

First, it declares it to be the Federal policy to reimburse the States for the toll or free roads which have been taken into the Interstate System.

Secondly, it authorizes the Secretary of Commerce to provide reimbursement for highways built or put under construction between August 2, 1947, and June 30, 1958.

Thirdly, it authorizes States to use reimbursed funds for the construction of highways connecting with the Interstate System and enhancing the utility of the Interstate System, and, if any funds remain thereafter, to use the funds on the Federal aid highway systems.

Those are the three points which constitute the purpose of the amendment.

The committee report, in dealing with the matter, at page 10, states:

The committee held hearings on S. 3429—

That is the bill I introduced earlier this month—

a bill which would authorize reimbursement to the States for certain free and toll roads on the Interstate System included in the report of the Secretary of Commerce. The committee gave consideration to the information presented and discussed the matter thoroughly. The merits of this proposal were recognized, but it was felt that because of the policy matters involved, the high costs of such reimbursement, and the questionable issues relative to the financial provisions, the matter should be the subject of further study and considered as separate legislation.

I should like to advise the Senator that this morning I appeared before the House Committee on Public Works, to testify on the bill. Also testifying was the distinguished Governor of my State, Abraham A. Ribicoff. He testified in support of the measure, which was introduced in the House by Representative EDWIN H. MAY, JR., of the First District of Connecticut.

In concluding his appearance before the House committee, Governor Ribicoff said he intended to raise the reimbursement problem at the governors' conference in May in Florida.

I ask the Senator from Tennessee, the distinguished chairman of the subcommittee, if he will give me the assurance that, following the receipt of the recom-

mendations from the governors' conference respecting the reimbursement issue, he will hold hearings on my bill and on any similar bills dealing with reimbursement, after the governors' recommendations have been formulated and are available to his committee?

I ask it with the understanding that, with his favorable assurance, I will not bring up the amendment today, but will patiently await the result of the governors' conference, which I believe will throw considerable light on the issue.

Mr. MARTIN of Pennsylvania. Mr. President, I wonder if the Senator will yield to me so that I may make a short statement.

Mr. GORE. I shall be glad to do so if it is agreeable to the Senator from Connecticut.

Mr. BUSH. I would appreciate it if the Senator from Tennessee would yield for that purpose.

Mr. GORE. I yield.

Mr. MARTIN of Pennsylvania. I am fully in agreement with the distinguished Senator from Connecticut that the amendment probably should not be submitted to the pending measure. The purpose of the pending measure is to create jobs for the unemployed of our country. It seems to me that we have an obligation to the States which have built toll roads and free roads which come under the specifications of the Interstate System. I hope that the distinguished Senator from Tennessee will agree to hold hearings shortly after the governors' conference, after we hear what the sentiment may be of the governors at their session.

Mr. GORE. If the Senator from Connecticut will include in his hypothesis a presentation to the subcommittee of the recommendation of the administration, as well as of the governors' conference, I can unhesitatingly and gladly give him an affirmative answer.

Mr. BUSH. I shall certainly use my best efforts to obtain an expression from the administration. I believe persons in the administration should be called as witnesses on the subject.

Mr. GORE. I hope the Senator realizes that I am not attempting in any way to be partisan in this matter.

Mr. BUSH. Certainly.

Mr. GORE. Last year the committee requested the Department of Commerce to make a study and to report on the problem referred to by the Senator. The Department of Commerce made a study and a report, but it stuck so strictly to the language of the request that it submitted no recommendation.

As chairman of the subcommittee, I have requested Secretary Weeks to submit for the consideration of the committee a recommendation of the administration on the question. Of course, the committee can, if the two distinguished Senators request, hold hearings without a recommendation from the administration. However, since we try in all phases of highway legislation to have a cooperative relationship between the legislative branch and the executive branch of the Government, it would appear advisable that we have a recommendation from the administration also.

Mr. BUSH. I shall certainly forthwith tell the Department of Commerce, which I presume would speak for the administration on this issue, that it seems most likely that a hearing will be held on the reimbursement issue sometime after the governors' conference in May, and I certainly hope it will be prepared to testify at that time and set forth the views of the administration on this subject. With that assurance, can the Senator from Tennessee give me his assurance that hearings will be held and that the Department of Commerce will be heard?

Mr. GORE. I can say in all candor to the able Senator from Connecticut that in our discussion in the subcommittee there was general recognition of the equities involved, and the report so states. Since the request of the able Senator from Connecticut is joined in by the ranking minority member of the committee, who served with distinction as chairman of the committee, I will say that hearings will be held whether the administration submits a recommendation or not.

Mr. BUSH. Nothing could be fairer than that. I thank the distinguished chairman, the Senator from Tennessee, for his assurance in that connection. I greatly appreciate his permitting me to ask questions of him at this time.

If the Senator has no objection, I should like to ask unanimous consent to have printed in the RECORD at this point the text of the amendment I have submitted and which I had intended to propose, as well as the text of the statement I made before the House Committee on Public Works.

There being no objection, the amendment and statement were ordered to be printed in the RECORD, as follows:

On page 24, between lines 10 and 11, insert the following new section:

"Sec. 13. Reimbursement to States for free or toll roads on Interstate System.

"(a) It shall be the policy of the Federal Government to equitably reimburse a State for free or toll highways on the Interstate System within its boundaries, the construction of which has been completed or partially completed subsequent to August 2, 1947, or which was either in actual construction, or under construction by contract, for completion, awarded not later than June 30, 1958, if such highway or partially completed section thereof meets the standards required for the Interstate System.

"(b) If an existing free or toll highway or partially completed section of highway which is located upon the Interstate System and included in the report submitted to Congress under section 114 of the Federal-Aid Highway Act of 1956 (70 Stat. 374) (H. Doc. No. 301, 85th Cong.), is believed to measure up to the standards of construction adopted under section 108 (1) of the Federal-Aid Highway Act of 1956, a State may request of the Secretary of Commerce that it receive reimbursement for such highway, and the State shall be entitled to receive such reimbursement subject to the conditions of this section. The Secretary of Commerce shall first determine whether or not the highway, or partially completed section of highway, meets such standards. If he approves the same, the Secretary of Commerce shall determine, in accordance with the rules and regulations issued pursuant to subsection (d) of this



section, the amount of reimbursement to which the State is entitled based on the cost of such highway, less depreciation and the total amount of any Federal funds used in the construction of such highway. In each such determination for a toll highway, the Secretary shall also exclude from the cost of the highway the cost of financing thereof and the cost of any toll plazas, toll-collection facilities, and any other facilities not included within the definition of the term 'highway' under Federal-aid highway legislation.

"(c) Any State entitled to reimbursement under this section, whether for a toll or free highway or a partially completed section of highway, shall use the funds so reimbursed, first, for construction of projects on highways which connect with the Interstate System and enhance the utility of such system; and then, if there be any funds remaining after completion of such projects, on any Federal-aid system, subject to the condition that all Federal-aid highway funds apportioned to a State under Federal-aid highway legislation for the current fiscal year have been expended within the meaning of said legislation. Whenever a State constructs such projects with funds received as a result of a reimbursement under this section, all procedures and steps shall be taken in the same manner as though such funds had been apportioned under Federal-aid highway legislation: *Provided*, That State matching funds shall not be required: *And provided further*, That the funds received as a result of a reimbursement under this section shall constitute the total Federal share of any project upon which such funds are expended. The State shall obligate the amount to which it is entitled to be reimbursed under this section prior to July 1, 1972, and any portion of such amount not so obligated shall lapse. No State shall be permitted to obligate in any one fiscal year more than 10 percent of the amount to which it is entitled to be reimbursed under this section.

"(d) The Secretary of Commerce shall establish such rules and regulations as may be necessary to carry out the purposes of this section."

On page 24, line 11, strike out "13" and insert in lieu thereof "14."

On page 24, line 20, strike out "14" and insert in lieu thereof "15."

STATEMENT BY SENATOR BUSH URGING REIMBURSEMENT TO THE STATES FOR CERTAIN FREE OR TOLL ROADS ON THE INTERSTATE SYSTEM BEFORE THE HOUSE COMMITTEE ON PUBLIC WORKS, TUESDAY, MARCH 25, 1958

Mr. Chairman and members of the committee, I am grateful for your invitation to appear today to urge that you provide for fair and equitable reimbursement to States which have constructed sections of the National System of Interstate and Defense Highways to the required standards with either State or toll financing.

I recall with pleasure working with the chairman and other members of this committee when the Federal-Aid Highway Act of 1956 was under consideration in the 84th Congress.

At that time we fought shoulder to shoulder for two principles:

1. That apportionment of the Federal Government's 90-percent share of the expense of completing the Interstate System be made on the basis of construction costs instead of by a completely unrealistic formula; and

2. That States which, prior to the effective date of the 1956 act, had built or were building highways to the required standards for the Interstate System be equitably reimbursed.

We were successful in our fight for recognition of the principle of distribution of Federal funds on a costs basis. Under the 1956 act, each State will receive from the Federal Government 90 percent of the costs

of completing that portion of the Interstate System which lies within its borders—no more and no less. This completely fair system of apportioning Federal funds is far superior to the old formula. Under that formula, the sparsely populated States in which construction costs are low would have received inequitable windfalls and the thickly populated States would have received insufficient funds to complete the highways within the planned construction period, and we never would have had a balanced Interstate System.

The Congress postponed a decision on the second principle for which we fought; namely, equitable reimbursement. The 1956 act merely contains a declaration that it was Congress' intent to determine whether or not reimbursement should be made to the States for highways, toll or free, which have been completed or put under construction on the Interstate System between August 2, 1947, and June 30, 1957.

It is now time for Congress to make that determination, and I am delighted that the chairman has called this hearing to focus attention upon the need.

Fairness and justice require that reimbursement be granted. Congress has a moral obligation to treat fairly those States which had the vision and courage to proceed to finance by their own methods the construction of these urgently needed highways prior to enactment of the 1956 act. Unless we enact legislation for reimbursement in the present session, severe penalties will be imposed against the very States which have made the most progress in modernizing the Interstate System within their borders.

This committee is considering today many bills intended to meet the reimbursement problem. While I have not had the opportunity to give detailed study to all these bills, they appear to fall into three groups:

1. H. R. 10422, introduced by Chairman BUCKLEY, and companion bills sponsored by other members of this committee and of the House. These measures would limit reimbursement to toll highways (including bridges and tunnels), and would provide reimbursement by giving a State additional mileage on the Interstate System equivalent to the toll mileage it had contributed to that system.

2. H. R. 10921, introduced by Representative SCHERER, of Ohio. This bill also would limit reimbursement to toll highways and would provide reimbursement by permitting a State to designate certain highways on its Federal-aid primary system equivalent in mileage to the toll mileage it had contributed to the Interstate System. Highways so designated would be eligible for a 90 percent Federal contribution instead of the usual 50 percent on the primary system.

3. H. R. 11365, introduced by Representative MAY, of Connecticut, which is a companion bill to S. 3429, which I introduced and which is cosponsored by Senators PURTELL, of Connecticut, and IVES, of New York.

All these approaches to solution of the reimbursement problem have merit. However, I would like to confine myself today to discussion of H. R. 11365, and its companion in the Senate, S. 3429, and to certain modifications I have proposed since the bills were introduced.

In general, our bills are intended to carry out the major recommendations regarding reimbursement of the President's Advisory Committee on a National Highway Program, headed by Gen. Lucius D. Clay. The Clay Committee recognized that unless reimbursement were provided, the fact that a radically new highway program was under consideration might lead States to delay their plans for modernizing their highways on the Interstate System. Accordingly, the Clay Committee recommended reimbursement, and in the faith that Congress would recog-

nize the equity and justice of their position many States proceeded with construction of their interstate highways.

I quote pertinent sections of the Clay committee's report:

"Some States have already constructed sections of the Interstate System to the required standards with either State or toll financing and others are proceeding along similar lines. Such construction should not be discouraged by this report since our goal is maximum highway improvement. Those States in which sections of the Interstate System have been provided to meet the presently established standards for the completed system should receive appropriate credit, provided such funds are used to improve other roads on established Federal-aid systems or as may be approved by the Federal Government and all other Federal funds for highway purposes have been matched as required. \* \* \*

"The funds thus made available to the States will not only encourage matching of available funds but will also make possible accelerated improvement of primary, secondary and other roads, and will encourage local financing of interstate mileage to make funds available for other roads without increasing total Federal responsibility. They will be paid to the States only as required to meet the costs of projects approved for construction and, it thus appears would provide a major incentive to the highway-improvement program as a whole."

Under the terms of our bills, all 48 States would benefit, for all, to greater or lesser degree, have constructed or have under construction free or toll interstate highways which would create eligibility for reimbursement. Twenty-six States, or more than half, have toll facilities on the Interstate System, while the remainder have constructed free highways only.

Our bills would declare it to be the policy of the Federal Government to provide equitable reimbursement to the States for acceptable highways, toll or free, incorporated into the Interstate System.

They would authorize the Secretary of Commerce to provide reimbursement, upon request of a State, if he determines that such highways meet interstate standards. The amount of reimbursement would be limited to the cost of the highway, less depreciation and less the total amount of Federal funds used in its construction. In the case of toll highways, the reimbursement would be further reduced by deductions for the cost of all auxiliary facilities needed for toll operation.

As introduced, the bills provided that States so reimbursed could use the funds for construction of projects on any Federal-aid system within their borders without a requirement of State matching funds. I have proposed a modification of this provision which would give priority to the construction of projects on highways which connect with the Interstate System and enhance its utility.

I know that this committee is concerned with the cost of reimbursement, which has been estimated by the Bureau of Public Roads at approximately \$4.2 billion, about equally divided between toll and free highways. In our bills as introduced, it was provided that the reimbursed funds must be expended within 5 years. Upon reflection, I have decided that 5 years is too limited a period in which to expect the expenditure of so large an addition to the normal flow of Federal highway funds. Accordingly, I am modifying my bill to give a State until July 1, 1972, to obligate the reimbursed funds to its credit, with a proviso that no more than 10 percent of the total credit may be obligated in any 1 fiscal year.

Mr. Chairman, in closing, I should like to state for the record that I have serious



reservations about the wisdom of hasty action on so large an addition to the Federal highway program as is proposed in S. 3414, the so-called Gore bill now before the Senate.

I agree that acceleration of some public works programs can assist in relieving the unemployment problem with which we are all concerned at the present time, but I would prefer that priority be given to school construction which I regard as a far more urgent national need than making bigger an already enormous highway program. I regret that the President's classroom construction bill was defeated during the last session. However, that bill is still alive in the Senate Committee on Labor and Public Welfare and I hope that the Democratic leadership will see fit to have it brought to the floor. In my judgment, Federal funds spent on schools would have more effect in creating jobs and would serve a greater national interest than adding new Federal dollars to the highway program. At this critical time, we should be spending at least as much money for character building as for road building.

Despite my reservations, I recognize that this Congress will soon act on highway legislation and it is my conviction that any legislation to be enacted must, in the interests of justice and equity, treat fairly those States whose vision and courage have contributed so much to the Interstate System. I therefore urge you strongly to include the principle of reimbursement in any bill affecting the Interstate System which you may report to the House.

Mr. BUSH. I thank the Senator from Tennessee.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator from Tennessee yield, with the understanding that my remarks will appear at the close of his remarks?

Mr. GORE. I yield.

Mr. MARTIN of Pennsylvania. I thank the distinguished Senator from Tennessee for his answer to the distinguished Senator from Connecticut. I think this is a very important matter, and we ought to commend the Senator from Connecticut for bringing it to our attention at this time. I also express my appreciation of the fact that he does not push his proposal as an amendment to the pending bill.

Mr. BUSH. If the Senator from Tennessee will permit me to do so, I thank my colleague from Pennsylvania. I observe, for the benefit of the Senate, that the House committee is very much interested in this issue, as can be understood by the questions which were asked.

Mr. GORE. The chairman of the full committee has likewise introduced a bill on the subject.

Mr. BUSH. That is encouraging, indeed; I had not caught up with that.

Mr. GORE. I refer to the chairman of the Public Works Committee of the House.

Mr. BUSH. Oh; I misunderstood. I thought the Senator meant our good friend, the Senator from New Mexico [Mr. CHAVEZ]. Yes, Representative BUCKLEY has, indeed, introduced a bill. Hearings were held today on his bill, Representative SCHERER's bill, which is a similar bill, and a companion measure to my bill, which was introduced in the House by Representative MAY, of Connecticut.

I think there is great interest in the whole principle of reimbursement. The problem now is to determine the right formula and also the right time to undertake reimbursement.

Mr. GORE. Not only those things, but also the amount of reimbursement which would, in all circumstances, be equitable, the manner of reimbursement, and whether the highways for which reimbursement is provided—if it is provided—shall be free highways or shall continue to be toll facilities.

Mr. BUSH. Those are all very pertinent questions.

Mr. COTTON. Mr. President, I desire to make a few brief comments at this time about section 2 of S. 3414, the pending highway bill. This is the section which provides an extra \$400 million on an immediate basis to speed work and employment on the so-called ABC roads, the primary, secondary, and urban Federal-aid highway systems.

During the executive sessions of the Roads Subcommittee, it was my privilege to suggest a special authorization for the ABC roads on a reduced matching basis to stimulate immediate contracting and construction and to boost employment. While my original suggestion called for \$500 million on a 75-25 matching basis, I believe the committee recommendation in section 2 of \$400 million, with a 70-30 matching formula, is a constructive and effective proposal. It has my support.

When it comes to creating employment and combating the recession, the special \$400 million authorization for the regular Federal-aid system in section 2 is the most important part of this bill.

It has a number of key advantages over a similar increase in interstate funds:

First. It can be put under contract and actual construction more swiftly. This is because primary and secondary roads require less engineering, less planning, less time-consuming preparation in initial stages than the Interstate System. Furthermore, States have been planning the work on their primary and secondary highways since 1916; on the new Interstate System only since 1956.

Second. More of the funds can be spent on job-producing aspects of highway construction. Large portions of funds for the Interstate System must necessarily be spent on acquiring rights-of-way for the new highways, in addition to sums for planning and engineering. Most of the improvements in the primary and secondary systems follow existing rights-of-way, so that funds for these systems do not have to be initially expended for land condemnation, which is more likely to produce dislocation, and hardship than jobs. Appropriations for the ABC roads can go more directly into work which creates employment at the highway site as well as back at the cement plants and the steel mills.

Third. The funds provided for the ABC system can be used in any section of a State, because there are primary and secondary Federal-aid routes in all sections of every State. The Interstate System mileage, in contrast, is limited and

may involve only a single area of a State. New Hampshire for example, has 10 times as much mileage on the primary and secondary systems as on the interstate. Funds for these ABC roads would be available to States for work in the areas that needed it most. Contracts could be let by the States in these areas where unemployment is most severe, instead of being confined to the few locations along the Interstate Systems.

Fourth. The committee recommendations for a Federal advance of two-thirds of the State matching share will enable the States to proceed with this program at once, without jeopardizing the rest of its highway program.

Fifth. Furthermore, by imposing rather strict time limits on the money, the committee tried to insure that States would move fast to get work started with the extra apportionment. In suggesting a special ABC authorization in the committee, I proposed even earlier dates because I believe action to combat the recession must be swiftly taken. Contracts let next year may provide jobs next year but will not do a thing for the man out of work now.

As recommended by the committee, section 2 requires that contracts be let by December 1, 1958, and work be completed by December 1, 1959, the end of the construction season next year. The purpose of this limitation frankly, is to require the States and their contractors to move swiftly so that additional employment will be created at the earliest possible date. This legislation is a proper and an effective place to create additional employment because safer better highways are one of the best investments we can possibly make as a nation.

The language recommended by the committee is the most effective we could devise to insure that the funds are put to work this year on actual highway construction and that they will be in addition to the regular highway construction programs in each State.

There may be some concern because this section breaches the traditional 50-50 matching ratio. That fact cannot be denied, but it can be explained and, in my opinion, fully justified.

Special provision must be made to assist States in matching this special authorization, if any work is to get started immediately. In virtually every State, the financing programs for highway construction for this year have been completed and approved. State legislatures have adjourned for the year, and for 2 years in many cases. Unless some special provision is made, no fast increase in the rate of highway construction would be possible.

After careful consideration, the committee has approved a 70-30 Federal-State matching ratio, with additional authority to advance the States two-thirds of their share of the matching funds.

The bill makes these funds available only for a very limited time. To a considerable extent, it is self-enforcing. Funds advanced to the States to aid in matching will be recaptured out of reg-



ular Federal-aid apportionments in fiscal years 1961 and 1962. The Federal-aid highway apportionments for fiscal year 1961 are provided in this bill and half of the funds advanced to States this year will automatically be recaptured from the 1961 apportionments unless Congress takes affirmative action to wipe out the debt.

I personally feel it is wiser to increase the Federal share, than to insist on a 50-50 matching ratio and advance large sums to the States, which almost certainly would never be repaid in the future. It is my understanding that advances were made to the States some years ago, and later forgiven, resulting in hard feelings and a discrimination against those States which had conscientiously started repaying the money.

The committee recommendation avoids this future controversy. Its recommendations in section 2 provide a reasonable and effective way to stimulate highway building and create employment this year when it is needed. I hope they will be approved.

#### THE CHOICE IN ASIA—DEMOCRATIC DEVELOPMENT IN INDIA

Mr. KENNEDY. Mr. President, at no time since the war has American and Western policy been so gripped by a sense of paralysis, by a waning of hope, by the loss of its compass points. More and more the thoughts of those abroad—and of Americans themselves—have been riveted on Russia's capabilities, on Russia's educational system and educational achievements, on Russia's new diplomatic and economic initiatives, on Russia's seemingly greater flexibility and power of maneuver. Less and less have we and our allies been concerned with our own capacities, our own positive objectives, and our own ability to reach new goals consonant with our own values and traditions.

The evidence mounts daily of dissatisfaction with the rigidity of thinking and approach which characterizes not alone the makers and spokesmen for our foreign policy but also many of its critics in and out of Congress. The blunt fact is that the uneasiness which has stirred even our closest friends is directed not against a President or Secretary of State or party. In very large measure it attaches to the whole tone and thrust of our national effort in foreign policy. Indeed, we have come increasingly to doubt ourselves, to question the impact of a policy whose substance seems so very largely military, to scrutinize actions whose origins very often were in reflex to Soviet moves and transitory crises rather than rooted in a settled policy of our own.

There is no special merit in newness or change as such. Indeed, there are compelling reasons why, in the absence of realistic alternatives, the United States should not change course merely in response to foreign or even internal criticism. If critics cannot provide some secure new guidelines, their pleas do not deserve acceptance. There are also, unhappily, situations in the world which cannot for the moment be much allevi-

ated by the United States—no matter how good its intentions or how great its military or economic commitments. There are clearly certain fixed and harsh facts in the world power balance which the Western alliance can influence only slowly or slightly—and then only after hard work, patience, and sacrifice. But if there are established continuities and commitments, which we must constantly invigorate through our alliances in this hemisphere and Europe, there are also new perils and new chances which are altering the pattern of world events and world power. There are—especially in the underdeveloped world—new dimensions in the challenge which we face. There remain opportunities for intelligent and creative action.

As members of the opposition we have a special obligation to maintain the critical ferment which makes such new departures possible, which enlarges the horizons of our public thinking, which establishes a responsible basis for new action.

In recent weeks there have been a number of Democrats who have tried conscientiously to perform this function. The distinguished majority leader [Mr. JOHNSON] has given us a program of action in the field of weapons and missiles which measures up to the peril we face. The distinguished junior Senator from Arkansas [Mr. FULBRIGHT] has set in focus the relations between our educational effort and our international leadership. The distinguished junior Senator from Minnesota [Mr. HUMPHREY] has explored searchingly the possible ways by which meaningful disarmament negotiations might be resumed. The distinguished senior Senator from Illinois [Mr. DOUGLAS] has posed the new economic and political equations in our international trade policy created by the common market and the free trade area in Europe. The distinguished junior Senator from Montana [Mr. MANSFIELD] has examined with care the continuing crisis in north Africa and the steps which might be taken by the United States to help resolve it.

Outside the Senate Mr. George Kennan has performed an important critical service by loosening up the terms of discussion about our western and central European policies and by closely analyzing the military assumptions upon which so much of our international policy is predicated. There are few of us who would agree with all, and some who would agree with only a little, of the analysis and prescription which his lectures contained. But I feel, Mr. President, that we are better off for being able to test our assumptions against a carefully formulated set of alternatives. It has been of more than incidental value for the world to know that there is a wider constellation of thought within our own society and that we are wrestling with many of the same issues which agitate thinking in Europe, Asia, and Africa.

Our sense of drift, our gnawing dissatisfaction, our seemingly hopeless predicament in reaching but the fringes of a great crisis is nowhere more evident than in our search for policies adopted effectively and concretely to the new and gen-

erally uncommitted nations which run from Casablanca to the Celebes. Over the past few years we have begun to appreciate that the tested formulas we have applied to events in western Europe and NATO have only limited application to the broad medley of changes occurring in the uncommitted world. Though we have learned that we must come to terms with the new nationalisms, we have tended to interpret their meanings too much against the backdrop of our own historic experience on this continent and in Europe.

Easy as it is to proclaim a position of anticolonialism and self-determination, many sympathetic observers in the West have not fully realized that some of the new states have set their courses in an environment empty of positive democratic or liberal aim; that their attainment of political independence was but a prolog to the harsh realities of political and economic growth.

We have certainly begun to learn that a purely military response to the tides in the Middle East and Asia is an illusory breakwater. For military pacts and arms shipments, though sometimes a necessary instrument of national policy, are themselves new divisive forces in those areas shot through with national and regional rivalries and often lacking historic boundaries and allegiances. We are beginning to see, too, the special attraction and emotional appeal which the Soviet Union has in the fluid pattern of events in the uncommitted world, to peoples full of social resentment and impatient for rapid social betterment and economic progress. Communism to them is the alternative, with the glamour of novelty, of breaking fresh ground, of seeming to offer a disciplined, coherent and irresistible answer to the overwhelming problems of economic mobilization and take off. Indeed, it has been one of Marxism's cruellest ironies—not lost upon the Russians themselves—that it has gained special force not in advanced industrial societies, but in those confused, transitional regions which have not yet created effective modern economic or political systems.

The outlook in many countries is not hopeful. Some of these countries provide barren soil for any real economic progress now to take root—they cannot productively absorb investment capital, they do not possess the skills or plans of social outlook which derive genuine benefit from economic assistance, their rapid gains in population outpace any attempted increase in living standards. There are, of course, exceptions—countries such as Tunisia, Ghana, Pakistan with whom we hope to have beneficial economic relationships. And we dare not give any up as lost.

#### THE CASE OF INDIA

But one country in particular—India—has successfully pointed the way to progressive economic development; it has achieved a steady rate of growth, established the firm beginning of an economic base, maintained an economy in which the private sector plays a large and expanding role, and avoided an excess of governmental regimentation and con-



mum of \$500 million in additional loans will be needed from the United States before May 1961, if India's economic program is to have assurance of success.

It is in this background that I shall speak of India's foreign-exchange problem. For brevity, I shall quote from an article which I wrote for the New York Times Sunday magazine, and which was published in the issue of March 16, 1958.

For its second 5-year plan the Indian Government foresaw a need for \$2,200,000,000 with which to buy capital goods abroad. Since 1956, however, crop failures, the closing of Suez, and additional purchases of western military equipment (which India felt imperative as a result of our extensive military aid to Pakistan) have increased foreign exchange needs to \$3,400,000,000.

India reduced this gap to \$2.2 billion by drawing \$1 billion from its sterling reserves and \$200 million from the International Monetary Fund. Loans from the World Bank and other sources, including Russia, will reduce the gap to \$1.4 billion. It is to help make up this amount that the United States is asked to provide additional loans and capital goods.

If the United States intends to do its full part to see India through, it is of the utmost importance that we give India assurance now that loans will be available. That is one purpose of our resolution.

Our constitutional system makes it difficult to give such assurance. But there are steps which can be taken to give evidence of our purpose.

First, an additional allocation of \$75 million from the Economic Development Fund could be made by July 1. Second, payment of the balance of a \$187 million wheat loan should be charged to payment in local currency, to conform to our present policy of surplus food sales to other countries. This would permit India to increase its credit at the World Bank by \$125 million. These two steps, coupled with the recent \$225 million loan, would provide India with credits aggregating \$400 million during our fiscal year ending July 1, 1959, and would, I believe, meet her needs during that period.

The remaining \$300 million needed before 1961 could be met in part by loans from the Export-Import Bank and the Economic Development Fund.

If loans from these sources are not forthcoming, it is my judgment that the administration ought to submit to Congress in 1959 its request for a direct loan to India. If the full case is made for aid to India, I believe that the Congress and the country would see that it is a matter of our mutual self-interest that such a loan should be made.

#### THE REASON FOR AID

I am well aware, as my colleague, the Senator from Massachusetts said a few minutes ago, that any proposal to extend foreign aid, even by loans, at a time of economic recession, and when it is necessary to spend large sums for the military security of the United States, will meet strong opposition and critical inquiry. I agree wholeheartedly that it is the first duty of our country to strengthen its economy and to assure the security of our country. I have no doubt that our economy will resume its advance and

that we will make whatever expenditures and sacrifices that are necessary to protect our country. In fact, the resolution which we have introduced expresses that confidence.

But during this time of internal economic stress, we cannot lay aside the issues of defense and security and our international responsibilities. We cannot cut them off for a few months because we are in a recession. They continue, and we must deal with them responsibly. As Secretary Dulles said yesterday to the Senate Foreign Relations Committee, we cannot because of our problems at home "tear down" "the very structure of the free world, which makes it possible for us to enjoy in peace and freedom the material blessings we have."

It is precisely because we are in a crisis of national defense, different from any our country has known, that we must exert greater efforts to hold together and sustain democratic countries throughout the world. For goal of a free democratic world is challenged also by the economic and political side of the new Soviet policies.

It is an objective fact, little considered by most of us, that both the United States and Soviet Russia are seeking to alter the balance of power in the world—our country on the side of democracy; the Soviet Union on the side of communism and totalitarianism, without resort to war, but by political and economic means. In the evolving and changing competition between democracy and totalitarianism, the success of newly independent countries, such as Asia, their ability to advance economically and to be strong enough to remain free is an uncertain factor. The outcome of this competition in Asia could determine the duration and the result of the struggle between democratic and totalitarian forces in the world.

The economic challenge to the United States and democratic countries is being clearly drawn in Asia. The compulsion for economic advancement and equality in the world is the primary fact of political life in Asia. The governments of the new democratic countries will not be given the chance to carry forward the industrial revolution at the leisurely pace of a hundred years, as was the case in Europe and in the United States. If the democratic governments of Asia fail to better the living standards of their people, they will lose their support; and, their people will look to the example of Soviet Russia and Communist China.

This, rather than aggression, is the threat to the growth of democracy in Asia.

Post-Stalinist Russia has shown itself aware of the issue at stake in India, and in Asia. The new leaders of Russia are aware of this, and they have been saying to Asia, and Africa, and the Middle East, that they can develop economically by following the Soviet pattern, and by association with the Soviet bloc. And despite the backwardness and needs of their own people, Russia has been giv-

ing substantial economic aid to these countries. Our State Department recently reported that since 1953, Soviet bloc agreements of military and economic assistance in Asia and the Middle East had totaled \$2 billion. Russian scientists and agriculturists by the hundreds have been sent to these areas, and hundreds of leaders in the Asian-Afro industrial revolution have been brought to the Soviet Union for training.

It is all right that Russia should help bear the economic burden of these countries. It has waited a long time to do so. But the Asian countries should never forget that, following World War I, the Soviet Union poured its scorn and abuse on their democratic governments. Soviet aid is a threat to us, only if we withdraw our aid, or because we may lose by default—by timid half measures, by pre-occupation with the military aspects of the world crises, to the neglect of the political and economic. If we disassociate ourselves from the great interest of these countries—to advance economically—and if they are forced to rely on the Soviet bloc—eventually we shall face isolation from a majority of the world's people.

I see no reason why we cannot meet this new economic and political challenge. We were first in the field, and it is the field in which we have announced to the world for a long time that we are best fitted.

Why should the United States assist India? I do not derogate the necessity of continuing assistance and friendship for our old and true friend, the Philippines, or for Japan, Pakistan, and other Asian friends. But the case for India is self-evident. It is the largest non-Communist nation in Asia. It is the most powerful country in the south Asian, Middle East, and African region in terms of resources and present economic development. It is engaged in a great effort of political and economic development—and we must not forget—by democratic means. It has a democratic government, whose leaders command the overwhelming support of the people; and it has a first-rate civil service—probably the best in Asia. It has successfully completed its first 5-year plan, and has a good chance of success with its second 5-year plan, if it receives the necessary assistance—assistance that can come only from the United States or the Soviet Union.

India is strategically the center of this vital region, flanked by the Arab world and an unstable South Asia. This region is confronted with the experiment of Communist China—to advance by totalitarian methods, with the massive aid of Russia—and by India's effort to advance by democratic means. If India should fail, there is grave danger that the peoples of Asia and Africa would view it as a failure of democratic institutions and methods. If this happens, the balance of power and influence will actually fall against the United States and other free countries, and our danger would be intensified.

I am reminded that for 10 years, now, our country has been upset and saddened by the adherence of China's



mainland to communism. If the Chinese mainland were not Communist today, the balance of influence in Asia and the world would, without question, be upon the side of the democracies, and the prospects of freedom and security would be brighter.

It is my view that India has a much better chance to achieve democratic and political stability than China had, for India has had a true political revolution, led by men who have the confidence and support of the people, and it is working to bring economic and social justice to its people.

After World War II, I do not believe we realized the importance of economic advancement and social justice in China, as a condition of maintaining and building democratic institutions. Shall we make the same mistake in our understanding of India's problems?

I do not want to pass over the American criticism of India's policy of non-alignment or, as it has been termed by many in this country, neutralism, as a reason for opposing further aid to India.

India would like us to understand her policy as a contribution to peace. In part, it is a policy of self-interest, based on geography—her proximity to the Soviet Union and a 2,000 mile frontier with China. India desires also to concentrate her energies on her economic tasks, without involvement in the cold war. But in the main, nonalignment arises from a desire to be wholly independent.

India should not forget that the great purposes we have in common are independence and freedom. It is certain that these are not Soviet purposes. Our opposition to the march of communism is founded on our intense hatred of force and our determination to maintain the independence of our country and strengthen freedom in the world. We believe that the resolution of our own country and others of like mind—to whom the threat of aggression has been very real during the past ten years—has helped many newly independent countries pursue their goal of peaceful development.

While I have argued our self-interest, I do not want to neglect the affirmative purposes which should lead us to aid India. She has chosen democratic institutions, and is staking her success on free and voluntary methods. President Prasad, Prime Minister Nehru, Vice President Radhakrishnan, and other Indian leaders are unalterably opposed to the use of force and coercion, and are democratic by conviction and sympathy. Twice, they have taken their policies to the people in the largest free elections in the world. If India resists alignment with our political policies, she resists alignment also with the Soviet bloc. India's influence, already great, will increase throughout Asia and Africa, and in the world. A strong, democratic India is in accord with our national security, and is in harmony with our goal of sovereign, democratic nations.

No one can predict the outcome of the Indian struggle for economic development. It is true that in India, there are elements, as in other Asian nations,

which are attracted by the seemingly successful methods employed by Russia and Communist China in the development of their economies. I believe India will strengthen her democratic institutions and will succeed in her efforts for economic advancement. I would not like it to be recorded that the greatest democratic country in the world, the United States, failed to give adequate assistance to India in her crucial effort for her own people and for democracy in Asia.

I have dealt chiefly with the self-interest of the United States. But I do not want to overlook the deep humanitarian impulses of our people which have led us throughout our history to help peoples throughout the world. We cannot help but know that it is inequitable if democratic countries will not move toward correcting the imbalance of opportunity and living standards which exist in different areas of the world. Humanity and justice dictate the responsibility of the United States, as a favored nation, to do its part to correct this imbalance.

I congratulate the distinguished junior Senator from Massachusetts [Mr. KENNEDY] on the initiative he has taken in bringing these issues before the Senate, and in challenging public opinion. I am glad to be associated with him.

I should like to say, also, that I know, from personal experience, that the President of the United States, and the Secretary of State, Mr. Dulles, have continually shown their deep interest in the problems of India and Asia, and have taken the initiative in supporting their democratic efforts. And it has been evident to all that Mr. Christian Herter and Mr. Douglas Dillon, in their positions of leadership in the Department of State, have given strong and effective support to this aspect of our foreign policy.

In our preoccupation with world communism, we may forget at times the powerful drive for freedom and independence which has swept from the Philippines, across Asia, into Africa. It offers great opportunities. It also offers some dangers. We believe that freedom will prevail, but we know that its spirit is not constantly and uniformly irresistible. The great Justice Holmes said: "The irresistible comes to pass through effort." We have submitted this concurrent resolution to suggest that the United States make its greatest effort for freedom, and in the hope that it may prevail in Asia.

#### COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. KENNEDY. Mr. President, on behalf of the majority leader, I ask unanimous consent that the Committee on Banking and Currency, the Committee on Rules and Administration, and the Committee on Labor and Public Welfare be permitted to sit during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. I ask unanimous consent that this request be printed in the Record, following the conclusion of

my remarks and those of the Senator from Kentucky.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### FEDERAL-AID HIGHWAY ACT OF 1958

The Senate resumed the consideration of the bill (S. 3414) to amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes.

Mr. COOPER. Mr. President, I submit, and send to the desk, some amendments which I wish to have lie on the table.

I ask that they be printed in the Record.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The amendments will be received, printed, and will lie on the table; and, without objection, the amendments will be printed in the Record.

The amendments intended to be proposed by Mr. COOPER are as follows:

On page 7, line 1, after the word "shall", insert a comma and the following: "except as provided in section 2 of this act."

On page 7, line 6, after the word "shall", insert a comma and the following: "except as provided in section 2 of this act."

On page 8, beginning with line 20, strike out all over to and including line 13 on page 9, and insert in lieu thereof the following:

"Sec. 2. (a) Immediate apportionment of \$400 million of the Federal-aid primary, secondary, and urban authorization for 1960: Immediately upon enactment of this act \$400 million of the sum authorized by section 1 of this act to be appropriated for the fiscal year ending June 30, 1960, shall be apportioned among the several States in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838)."

On page 9, lines 14 and 15, strike out "authorized to be appropriated in section 2 (a) herein" and insert in lieu thereof "required to be apportioned by section 2 (a)."

On page 11, beginning with line 21, strike out all over to and including line 4 on page 12, and insert in lieu thereof the following:

"(h) It is hereby declared to be the intent of the Congress in the enactment of this section to make funds available for expenditure on the Federal-aid primary or secondary systems, including extensions of these systems within urban areas, for the purpose of immediate acceleration of the rate of highway construction on these systems."

Mr. COOPER. Mr. President, my amendments would reduce by \$400 million the appropriations authorized in section 2 of the bill; but the amendments would not alter in any way the purpose of the section, which is to speed up and increase the work on the primary and secondary roads, known as the ABC system, and their extensions in urban areas.

I shall explain the purpose and operation of section 2 of the bill and the effect of my amendments.

Section 2 of the committee bill authorizes the appropriation of \$400 million for the ABC system for the fiscal year 1959, in addition to the \$875 million



authorized by the Federal Aid Highway Act of 1956.

Certain changes from the 1956 act are made in the use of the funds. Chief among these are the provision that Federal-State matching shall be on a 70 percent-30 percent basis, rather than on the usual 50 percent-50 percent basis; the provision that contracts awarded by State Highway Departments under this special authorization shall be awarded before December 1, 1958, and shall provide for completion by December 1, 1959; and the provision that loans aggregating \$115 million may be made to States to assist them in matching the Federal funds, and that they shall be repaid from any Federal Highway Funds apportioned for the fiscal year 1961 and the fiscal year 1962.

It is obvious that the purpose of this special authorization of \$400 million and \$115 million, or a total of \$515 million, and it is a very proper purpose, is to provide additional funds to increase the awards and amounts of contracts on the ABC System, and to put men to work during this time of recession. It is an antirecession measure.

But this point must also be made clear: The \$515 million which the bill thus would authorize to combat recession and to provide employment must come out of the general funds of the Treasury. It cannot be taken from the trust fund provided by the Federal Highway Act of 1956. If there were need of this special and additional expenditure of funds, I would not offer my amendment, but I do not think it is needed.

I give my reasons: The pending bill authorizes an apportionment of \$900 million for fiscal year 1960. Sometime after July 1, 1958, this sum will be apportioned to the States, and will be immediately available for contractual obligation. It will impose no additional obligation on the Federal budget, because it will be paid from trust funds which will accumulate from various highway-user taxes.

My amendment provides that \$400 million of the \$900 million authorized for fiscal year 1960 shall be immediately apportioned to the States. If the amendment is adopted, it will achieve the same purpose as the special authorization of \$400 million provided in section 2 of the committee bill.

First, the \$400 million would be immediately available to the States for road construction on the ABC system. Second, it would have the same effect as an antirecession measure. It would put men immediately to work. But the difference between the committee provision and my amendment is that the \$400 million authorized by the committee bill would add to Federal expenditures in that amount. My amendment would not add to Federal expenditures. It would simply advance by a few months the apportionment of \$400 million of the \$900 million which the pending bill authorizes for fiscal year 1961, and which is a part of our regular road program.

If my amendment is adopted, the \$400 million will be paid from the trust fund, for ABC funds have first claim on the trust fund. It will not, I repeat, in-

crease the regular highway expenditures of the Federal Government, and it will accomplish the same purpose as the committee version—put men to work.

If the recession should continue and the Congress should decide that additional highway funds should be provided, that would be the proper thing to do. But it seems to me there is no necessity for adding \$400 million to Federal expenditures when the regular authorization of \$900 million is available, and \$400 million of it can be made available at this time and apportioned to the States.

My amendment would not disturb any other provision of section 2. The \$115 million authorized would still be available to help the States.

We do not know what the next few months will bring. There may be other expenditures for public works. I simply make the point that the amendment I offer would immediately make available to the States \$400 million. It would not add a cent to the budget. It would put men to work the same as a special appropriation of \$400 million would, and if more funds should be needed later this year, they could be authorized by the Congress.

#### A ONE-MAN FIGHT ON DISEASE

Mr. HUMPHREY. Mr. President, the Minneapolis Sunday Tribune for March 9, 1958 contained a feature article entitled "Father Wages One-Man Fight on Disease." The story concerns the heroic efforts of the Minneapolis businessman, Mr. Miles Fiterman, growing out of his 3-year-old daughter's unfortunate disease, ulcerated colitis.

Mr. President, this is the kind of voluntary individual effort which I like to think typifies the best in the American way of life. I think Mr. Fiterman's story is one which should be widely noted, and I ask unanimous consent that the text of the article just mentioned be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FATHER WAGES ONE-MAN FIGHT ON DISEASE—  
CHILD'S ILLNESS LEADS HIM TO FORM RESEARCH FOUNDATION

(By Victor Cohn)

Three years ago a Minneapolis man learned that his 3-year-old daughter had a disease called ulcerative colitis.

He already knew her symptoms—severe pain, chronic dysentery, loss of weight and strength, or in his words "how my vivacious, beautiful, alert little girl became a seriously ill, semi-invalid, bedridden patient."

But he asked the doctors, as we all would: "What's ulcerative colitis?"

He was told: "A progressive, inflammatory disease of the intestine."

"What causes it?"

"We don't know."

"What can you do for her?"

"Perhaps something. Perhaps little."

"How long will she have it?"

"Perhaps all her life."

This father, as we all might, took his daughter from doctor to doctor, in several parts of the country. Every place, he got about the same answers.

Ulcerative colitis attacks the large intestine. Our food, after we digest it, goes from the stomach through the long, coiled

small intestine, then into the broad large intestine.

A disease called regional enteritis—called, in one form, ileitis—affects the small intestine. This is what afflicted President Eisenhower in 1956.

The two diseases may or may not be related—no one is sure. But they are very much the same in their effect on the patient, whether president or small child.

Drugs, changed diet, blood transfusions, bed rest, vitamins, sedatives—these things sometimes help ulcerative colitis. And sometimes not. In a typical case, the disease gets better, then worse again, and usually does this again and again.

Most patients are 20 to 40 years old when first seen, but the disease is common, too, in children, teen-agers, and the old. Hospital stays often run months, and care costs thousands of dollars.

In 5 to 10 percent of all cases, the chronic weakness and exhaustion, and sometimes complicating infection, lead to death.

Surgery sometimes helps spectacularly. And sometimes not.

All these things this Minneapolis father gradually learned.

The man is Miles Fiterman, a lumberman. He has built this business in 10 hurried years, and his approach to this strange disease now became hurried, too.

"How long," he tells you, "can a man sit in hospital corridors before he tries to see if something can't be done or learned about this disease, if not for his daughter, for someone?"

So he started traveling again, and found several interested clinicians—the doctors who treat patients—but few interested research men.

At the University of Chicago, however, he found Dr. Joseph Kirsner, and a little bronze plaque on the door of one small room: "Research in Ulcerative Colitis."

"What other research is there around the country?" he asked Kirsner.

The answer was "Almost none."

Fiterman went to the Government's National Institutes of Health at Bethesda, Md., near Washington, and saw Dr. C. J. Van Slyke, distinguished Associate Director.

Ulcerative colitis, Van Slyke told him, is one of the back alleys of modern medicine, "and we, too, feel something should be done about it."

Fiterman offered help. He now formed a nonprofit foundation—the National Foundation for Research in Ulcerative Colitis, with headquarters at 1100 K Street, Washington.

With Kirsner's aid, he established a top-notch medical advisory board, including men from New York, Chicago, and other cities; Duke, Stanford, Chicago, Oregon, and Oklahoma Universities medical schools, and two Minnesotans eminent in this field—Drs. J. Arnold Bergen, of the Mayo Clinic, Rochester, and Owen H. Wangenstein, of the University of Minnesota.

He had a statistical study made indicating that perhaps 200,000 new cases a year of ulcerative colitis and regional enteritis appear in American doctors' offices—far more than anyone had supposed.

He also saw Senators HILL, of Alabama, and THYE and HUMPHREY, of Minnesota (HILL and THYE as ranking majority and minority members of the Senate Medical Appropriations Subcommittee) sponsored an appropriations increase for the National Institutes of Health.

With this, plus Fiterman's financial help, the Institutes sponsored a high-level ulcerative colitis research conference—first of its kind—January 6 in Washington. Fiterman and HILL were the only nonmedical speakers.

This Minneapolis man is going around the country now talking to scientists and others, with the goal of the new foundation "a large-scale research effort, not through a public drive but through solicitations of



individuals and other foundations, and Government support."

"The research men need to try to produce the disease in experimental animals," Fitterman explains. "Kirsner says medicine needs to study bacteria, viruses, emotions, allergies, nutrition, biochemistry, stress, cell growth, biology—in other words everything."

"Most of all, we want to provide a research climate that will attract young men—a long-range program with continuing and guaranteed funds. The way ahead may be long."

But he adds: "Maybe not. The fact patients improve for one reason or another is evidence that it can be reversed."

As he said to the research scientists meeting in Washington: "We accept the fact that no cure exists now, but we will not accept the fact that little nor nothing can be done about it."

#### EXTENSION OF THE EAST FRONT OF THE CAPITOL

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter appearing in the New York Times yesterday on the subject of the Capitol extension.

The writer of the letter is Mr. Gilmore D. Clarke, member of the Commission on Fine Arts from 1932 to 1950, and chairman of that Commission for 13 years. Mr. Clarke is an honorary member of the American Institute of Architects, a fellow of the American Institute of Landscape Architects, a receiver of the gold medal of honor from the Architectural League of New York, a member of Academy of Arts and Letters, a member of the National Academy of Design.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CAPITOL CHANGE APPROVED—PROPOSAL TO EXTEND EAST FRONT SAID TO BE GOOD PLAN

TO THE EDITOR OF THE NEW YORK TIMES:

The proposal to extend the central element of the east front of the United States Capitol has been the subject of attack from a number of persons, professional architects and others, who are not informed on the subject. The New York Times has also joined in opposing the decision to undertake this new construction.

Congress, by an act passed in 1956, has deemed it necessary for three reasons: to replace the relatively soft, disintegrating Aquia Creek stone (it has been painted 35 times since 1819) of which this central part is constructed, with a durable marble as originally planned; to extend the portico, including the flanking walls, a distance (32 feet 6 inches) necessary to support the dome that now overhangs it, and to provide additional space for offices and hearing rooms as well as to afford a desirable hallway on the second floor. This hallway will connect the House of Representatives and the Senate wings for exclusive use by the legislators.

#### FIRST SUGGESTION

A proposed extension of the central element of the Capitol was first suggested in 1864 by the then Architect of the Capitol, Thomas U. Walter, who designed the dome and the Senate and House wings. Studies, including a scale model, were made for the extension of the east front by John M. Carrere and Thomas Hastings soon after the turn of this century. One of the two schemes was approved in principle on two occasions by the National Commission of Fine Arts, first in 1918-19 and again in 1935. The distinguished architect members of the commission who approved the extension of

the east front of the Capitol in 1918-19 were John Russell Pope (designer of the National Gallery of Art), Charles Adams Platt (designer of the Freer Gallery of the Smithsonian Institution), and William Mitchell Kendall of the firm of McKim, Mead & White (designer of the Arlington Memorial Bridge).

The equally distinguished architects who again approved the extension of the east front in 1935 were Edgerton Swartwout, John Mead Howells, and Charles Coolidge. All six of the aforementioned architects were classically trained.

#### ARCHITECTS BACKED

The architects at present associated with the Architect of the Capitol to follow the will of Congress as expressed in the Legislative Appropriation Act of 1956 providing for the extension, reconstruction, and replacement of the central portion of the United States Capitol substantially in accordance with scheme B of the architectural plan submitted by a joint committee of the Congress of March 3, 1903, are neither vandals, as has been intimated, nor are they committing a crime against art and history, as one commentator wrote.

They are dedicated artists who firmly believe, as did the six distinguished members of their profession before them, that they are right in deciding that the beauty of the central element of the east front of the Capitol will be greatly enhanced when reconstructed in marble in the exact manner in which it was originally designated and moved east 32 feet 6 inches properly to support the dome.

In order to retain the re-entrant court of the east facade they have recommended to the Congress that the Senate and House wings should ultimately be moved easterly a distance equal to that of the central element. They are firmly of the opinion that the contemplated changes will neither destroy the majestic grandeur of the dome nor totally obliterate the central court.

GILMORE D. CLARKE,

Member, Commission of Fine Arts,  
1932-50.

NEW YORK, March 17, 1958.

#### TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

#### ADDITIONAL BILL INTRODUCED

Mr. GORE, by unanimous consent, introduced a bill (S. 3560) to authorize the construction of a courthouse and a Federal office building in Memphis, Tenn., and for other purposes, which was read twice by its title and referred to the Committee on Public Works.

(See the remarks of Mr. GORE when he introduced the above bill, which appear under a separate heading.)

#### CONSTRUCTION OF COURTHOUSE AND FEDERAL OFFICE BUILDING, MEMPHIS, TENN.

Mr. GORE. Mr. President, I introduce for appropriate reference a bill to authorize the construction of a courthouse and Federal office building in Memphis, Tenn.

During the past several years, numerous surveys have been made in Memphis to determine the need for a new Federal building, but to date no action has been taken on the part of the Gen-

eral Services Administration to provide these much-needed facilities.

According to reports which have reached me, the Government is paying an annual rent bill of about \$375,000 to house various agencies in the city of Memphis. These agencies are widely scattered throughout the city, to the extent that persons doing business with Government agencies must be greatly inconvenienced in seeking out several different offices before their purposes have been accomplished. Even within a given Department of the Government, offices are widely scattered. For example, various offices within the Department of Agriculture will be found in 10 different locations throughout the city. The Department of Commerce has agencies in four different locations.

The only Federal building now in existence in Memphis is an old building which was first completed in 1885. This building has been expanded by additions made to it in 1904 and 1932. This building is grossly inadequate for even the limited activities which are now carried on within it. Federal court is held in this building in a courtroom which will seat approximately 75 persons. A second courtroom, which was formerly a grand jury room, accommodates only about 20 people and the bankruptcy court meets in a small room which accommodates only about 25 people.

Mr. President, I submit that we should take every advantage of the down-turn in our economy to construct public works of lasting importance. It is in times of economic recession that we can do this work to best advantage and at minimum cost.

Mr. President, I hope the Public Works Committee and the Senate will act promptly on this matter.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3560) to authorize the construction of a courthouse and a Federal office building in Memphis, Tenn., and for other purposes, introduced by Mr. GORE, was received, read twice by its title, and referred to the Committee on Public Works.

#### RECESS TO 10 O'CLOCK A. M. TOMORROW

Mr. KNOWLAND. Mr. President, in accordance with the previous order, I move that the Senate stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 8 o'clock and 15 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Wednesday, March 26, 1958, at 10 o'clock a. m.

#### NOMINATION

Executive nomination received by the Senate March 25 (legislative day of March 17), 1958:

#### UNITED STATES DISTRICT JUDGE

Mendon Morrill, of New Jersey, to be United States district judge for the district of New Jersey, vice Alfred E. Modarelli, deceased.





Rejected the following amendments:

By Rep. Taber, 47 to 128, to strike out the \$589 million payment to the Civil Service Retirement fund (pp. 4777-80);

By Rep. Hyde, 52 to 83, to delete a provision in the bill prohibiting the payment of any increase in retirement annuities until Congress appropriates sufficient money to pay for possible deficits in the Civil Service Retirement Fund (pp. 4780-3);

By Rep. Jonas, 106 to 115, to allow the use of appropriated funds to complete lease purchase contracts entered into before July 1, 1958 (pp. 4785-91);

By Rep. Loser, to delete the provision in the bill ending the Lease Purchase program (pp. 4789-90, 4791-2).

3. FARM PROGRAM. Rep. Reece, Tenn., commended the Secretary for "the wise and courageous leadership he has given to basically improve the position of agriculture," and asserted that the farm situation was improving, with farm income per capita the highest on record. pp. 4749-50
4. PERSONNEL. A subcommittee of the Judiciary Committee ordered adversely reported to the full committee H. R. 4757 and H. R. 5267, to grant certain employees the protection of the Criminal Code against assaults. p. D263
5. STATEHOOD. Rep. Rhodes, Ariz., urged passage of the Alaska statehood bill. p. 4793
6. ROADS. Rep. Cramer inserted tables in the record which he stated showed that "Many of the Governors and their State road boards who are calling most vociferously for further Federal assistance in these months of unusual unemployment are not making full use of the largest public works program in the history of the world." pp. 4794-6
7. LEGISLATIVE PROGRAM. The Daily Digest announced that on Thurs., Mar. 27, the House will further consider H. R. 11574, the independent offices appropriation bill for 1959, followed by H. R. 11645, the Labor and Health, Education and Welfare Departments appropriation bill for 1959. p. D262

#### SENATE

8. ROADS. Continued debate on S. 3414, the road authorization bill. pp. 4821, 4830, 4831-4907

Rejected by a vote of 41 to 47, an amendment by Sen. Kerr to strike out sec. 12 of the bill providing for the regulation of billboards along the interstate highway system. pp. 4831-88

Agreed to the following amendments:

By Sen. Case, S. Dak., to provide that in reimbursing States for the relocation of utility facilities "Federal funds shall not be reimbursed to any State .... when the payment to the utility violates the law of the State or violates a legal contract between the utility and the State." p. 4888

By Sen. Mansfield to authorize for forest highways "the additional sum of \$10,000,000 for the fiscal year ending June 30, 1959, and the sum of \$36,000,000 for each of the fiscal years ending June 30, 1960 and June 30, 1961," to authorize for forest development roads and trails "the additional sum of \$13,000,000 for the fiscal year ending June 30, 1959, and the sum of \$34,000,000 for each of the fiscal years ending June 30, 1960 and June 30, 1961," and to strike out the provision relative to the apportionment of the above items which stated that "the apportionment heretofore made by the Secretary of Commerce for the fiscal year ending June 30, 1959, is hereby approved." pp. 4888-93



By Sen. Hruska, by a vote of 47 to 38, to modify sec. 11 of the bill pertaining to the reimbursement for cost of relocating utility facilities in the construction of Federal-aid highways so as to provide that Federal funds may be used to reimburse States for 90% of the costs involved in relocating utility facilities provided the States submit satisfactory evidence that it has paid such costs from its own funds. pp. 4893-4904

9. FARM PROGRAM. Sens. Johnson, Humphrey, and Proxmire urged the President to sign the resolution freezing price supports and acreage allotments at 1957 levels; Sen. Johnson inserted numerous telegrams to the President urging him to do so; and Sen. Humphrey inserted his letter to the President urging him to sign the measure. pp. 4812-14, 4837-38
10. WILDLIFE. The Interstate and Foreign Commerce Committee reported with amendment S. 2617, to authorize the purchase of wetlands and small areas for migratory bird sanctuaries (S. Rept. 1426). p. 4816
11. FOREIGN TRADE. The Banking and Currency Committee reported without amendment S. 3093 to extend for an additional two years the Export Control Act. p. 4816
12. ELECTRIFICATION. Sen. Wiley inserted resolutions of the Wisc. Electric Cooperative, urging no increase in interest rates on REA loans and that the REA Administrator "be given full authority to approve loans." He also inserted his speech to the annual meeting in which he commended the REA program, opposed any increase in interest rates for REA loans, and opposed efforts to have REA coops borrow from private sources. pp. 4824-7  
 Sen. Langer inserted a resolution of the Land O'Lakes Creameries opposing REA interest rates increases and efforts to limit the REA Administrator's loan approval authority, and a statement from the Nat'l Rural Electric Cooperative Ass'n commending the Federal court decision that "propaganda advertising" by electric light and power companies was not tax-deductible business expense. p. 4909
13. MEATPACKERS. Sen. Thyne inserted 14 communications he had received on S. 1356 to transfer certain functions under the Packers and Stockyards Act from this Department to the FTC. Three favored, and eleven opposed passage of the bill. pp. 4814-15  
 Sen. Kefauver spoke in favor of enactment of S. 1356. pp. 4908-9
14. FORESTRY. Sen. Talmadge inserted a Ga. Assembly resolution urging an investigation by Congress of policies of the Forest Service which allegedly prevent bidding by lumber companies on forest timber in certain Ga. counties. pp. 4914-15

#### ITEMS IN APPENDIX

15. ELECTRIFICATION. Extension of remarks of Sen. Proxmire inserting a speech by Sen. Kefauver before the Wis. Electric Cooperative, "Deceit, Deception, and Duplicity," and stating that Sen. Kefauver "reviewed the danger that confront the REA cooperatives in this period of economic recession..." pp. A2854-6  
 Rep. Utt inserted Interior Secretary Seaton's address emphasizing some relevant facts about the administration's proposal for the power development of the Trinity River division of the Central Valley project. pp. A2886-7  
 Rep. Price inserted A. E. Becker's, Ill. Electric Cooperatives, statement opposing the administration's proposed plans regarding REA. pp. A2891-2  
 Extension of remarks of Rep. Price inserting a statement, "Why Full Authority Over REA Should Be Restored to the Agency's Administrator." pp. A2897-8

Extension of remarks of Rep. Price inserting a study of the effects of higher interest rates on the REA loans. pp. A2900-1

Extension of remarks of Rep. Price inserting an analysis of proposed administration REA legislation and stating "the proposal is a jeopardy to the rural electrification program that has proven its value." pp. A2906-7

16. STATEHOOD. Sen. Knowland inserted an article written by Interior Secretary Seaton expressing his hopes for early statehood for Alaska. pp. A2856-7

Extension of remarks of Del. Bartlett stating that Alaskans are resentful of an allegation that Alaska "might cast its lot with Russia in case of war," and inserting an editorial on this subject. pp. A2878-9

17. LANDS. Extension of remarks of Sen. Neuberger inserting two editorials favoring S. 3051, providing for acquisition and administration of the Klamath Indian lands. pp. A2857-8

18. FOREIGN TRADE. Rep. Hemphill inserted an editorial citing problems of the cotton textile industry because of export import programs. pp. A2871-2

Rep. Preston inserted his statement before the H. Ways and Means Committee offering suggestions for the protection of the plywood industry. p. A2885

19. FARM PROGRAM. Extension of remarks of Rep. Poage inserting an article by Clifford R. Hope paying tribute to Edward O'Neal. pp. A2879-80

Extension of remarks of Rep. Knutson inserting an editorial and stating it "discusses the problem of contract farming, and asks the question, "Is the small independent family-size farm on the way out?" p. A2893

Sen. Langer inserted a GTA radio roundup discussing consumer prices and stating "Farmers, in short, have been subsidizing the consumers and business people of America." p. A2898

Rep. Flynt inserted a constituent's letter expressing approval of S. J. Res 162, the measure to freeze price supports and acreage allotments. p. A2899

Extension of remarks of Rep. Knutson stating that "more and more people are coming to understand the price manipulation which has become a new and controlling factor in our national economy," and inserting a letter discussing farm prices. pp. A2913-4

Extension of remarks of Rep. Knutson inserting a telegram from Amalgamated Meat Cutters and Butcher Workment of N. America urging the President to approve S. J. Res. 162. pp. A2914-5

20. APPROPRIATIONS. Speech in the House by Reps. Laird, Whitten and Reuss during debate on H. R. 10881, the supplemental appropriation bill, regarding the \$3,000 limitation on acreage reserve payments. p. A2881

21. WATER RESOURCES. Extension of remarks of Rep. Rhodes inserting an editorial, "California Has Water,": stating that "California, the State that is trying so hard to take water away from Arizona, has 70 million acre-feet of its own that flows unused into the Pacific Ocean." p. A2891

22. DAIRY INDUSTRY. Extension of remarks of Rep. Westland inserting a Whatcom County (Wash) Dairyman's Ass'n resolution urging enactment of the proposed self-help dairy bills. p. 2894

23. FOREIGN AID. Rep. Dorn inserted a statement by American Coalition of Patriotic Societies reciting certain facts and conclusions as to the foreign aid program. pp. A2916-7



Highway; 9,433 in a 20-mile stretch accessible by road above and below the Powell Ranger Station). The catch in the Seiway River totaled 16,601.

The North Fork produced 36,236 fish in a 69-mile stretch above Bungalow Ranger Station; 6,381 from a 10-mile stretch of the Little North Fork plus 7 miles of the North Fork, above and below the mouth of the Little North Fork.

#### MOSTLY TROUT

The catch in these tributaries was predominantly trout (up to 98.8 percent). The catch in the Clearwater's mainstem was 56.5 percent trout, 2.5 percent adult steelhead, 12 percent whitefish, and 29 percent smallmouth bass.

"Evidence from age-growth studies and sexual maturation observations indicates most of the small-rainbow trout in the Clearwater drainage are of steelhead trout origin," the report states.

"If resident rainbow trout (nonmigratory) existed in large numbers in the North or Middle Fork drainages it seems probable that more of the larger rainbow trout over 10 inches in length would appear in the harvest. Cutthroat trout in these same waters attain lengths of 20 inches and fish over 10 inches long are common.

"Should the wild rainbow trout (juvenile steelhead) be lost to the fisheries of the North and Middle Forks, it would be necessary to plant catchable-size hatchery trout annually in these areas in sufficient numbers to replace, in the creel, the present catch."

The biologists estimated the average annual expenditure of fishermen seeking steelhead—both adult and juvenile—in 1955 and 1956 was \$250,000 annually, and saw potential for a tremendous increase in this resource.

#### THE BILLBOARD AMENDMENT TO THE HIGHWAY BILL

Mr. NEUBERGER. Mr. President, I should like to make a very brief comment, prior to the start of the discussion today, regarding the amendment in the highway bill which deals with billboards. I listened attentatively yesterday to the long debate which occurred on the Senate floor. I was particularly impressed by the very able, vigorous, and statesmanlike defense of the bill and of the signboard amendment which was made by the distinguished Chairman of the Public Roads Subcommittee of the Committee on Public Works, the distinguished Senator from Tennessee [Mr. GORE].

One further matter impressed me most strongly. The opponents of signboard regulation legislation indulged merely in fly specking, in pointing out frivolous and capricious objections to the wording of the amendment. There was little or no discussion of the basic issue or question involved. That question is, Shall the billboard companies be able to plaster a 40,000 mile Interstate Highway System with their signs for private profit and exploitation? It seems to me today we must discuss the fundamental issue, which is whether the United States Government has some equity in assisting the 48 States to protect the scenery along the Interstate System.

#### NATIONAL EPILEPSY LEAGUE'S TESTIMONIAL DINNER

Mr. THYE. Mr. President, I was privileged to attend a dinner given by the National Epilepsy League at the Washington Club on February 28. On that occasion Robert Hurleigh delivered an address which was most impressive.

Mr. President, I ask unanimous consent that the address be printed in the body of the RECORD, since it is most informative.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY ROBERT HURLEIGH

RAY HENLE

Ladies and gentlemen, because one of the men to be honored here tonight must, for good and sufficient reason, leave before we get into our program, I should like to take this moment to pay him his due. The multiplicity of appeals with which members of congressional committees are deluged, has given rise to a new kind of art, that of presenting testimony. And one of the highest practitioners of this art is a man whose outstanding testimony in behalf of the neurological disorders may well stand as a model of that new art, Mr. Ray Henle.

SENATORS HILL AND THYE

In the gyrations of political fortune, two Senators take turns as chairman of the Subcommittee on Appropriations. And while the Democrats may win or lose, the cause of epilepsy never loses. For while each is chairman they unite to aid the overall neurological needs, and thus aid epilepsy. Both have particular backgrounds that help give them a profound understanding of this medical program.

Senator EDWARD THYE gained his through the noteworthy department of neurology at the University of Minnesota when he was Governor of that State.

Senator LISTER HILL gained his through his father, who was a doctor.

SENATOR ALEXANDER WILEY

One of the greatest barriers to normal living for the epileptic are the outmoded laws on the statute books of many States and even in Federal legislation.

State legislators throughout the land are working to up-date these laws in the light of modern medical findings, while here in Washington the National Epilepsy League's champion in efforts to amend the immigration law as it applies to the denial of admission to our shores of epileptics is Senator ALEXANDER WILEY.

Present this evening to accept his citation is his administrative aide, Mr. Julius Cahn.

SENATOR STYLES BRIDGES

With the passing of Senator Robert Taft there arose the imperative need for someone else to act as personal advisor to Mrs. Tannersley. The man who so ably and skillfully filled that void and so often used his tremendous influence in the Senate most successfully on legislation pertaining to the Neurological Institute and other legislative matters was Senator STYLES BRIDGES, of New Hampshire.

REPRESENTATIVE JOHN E. FOGARTY

Perhaps the strongest and most consistent friend the National Epilepsy League has in the House of Representatives is the gentleman from Rhode Island, JOHN E. FOGARTY. So keenly has he felt about our cause that he has many times taken it to the floor of the House. We know we share with him with other important health problems, but

we wish to assure him we are happy, indeed, to count him as a friend of ours.

MAXWELL RABB

One of the most informed men in the country on the plight of the epileptic, particularly in the area of employment and the right and ability to become self-supporting, and thus a taxpayer instead of a tax eater, is the Secretary of President Eisenhower's Cabinet. For his tireless role in helping to interpret the controlled epileptic to industry, the league must be forever grateful to Maxwell Rabb.

SENATOR WILLIAM KNOWLAND

Every Congressman carries a workload and is subjected to pressures that would amaze their constituents—if they only knew.

Certainly, one of the busiest of the men on Capitol Hill is Senator WILLIAM KNOWLAND. But withal he managed to find time to lend his personality and the prestige of his high office to a most important function of the National Epilepsy League—the annual Little Christmas Town fund-raising campaign.

This is the story of seizures—of a sickness that time forgot.

It goes back to the beginning of mankind, even before the coming of man, for animals, too, have seizures.

It is a story that, in recorded history alone, was 40 centuries a'born.

Two thousand years before the father brought his convulsive son to Jesus of Nazareth, the Code of Hammurabi dealt with laws regarding the marriage of these people and the validity of their court testimony.

In those ancient times, when all men believed the world to be peopled by unseen spirits, it is not surprising that they saw an epileptic attack as an omen, an evil curse, a spell cast upon the luckless victim.

And so, in these ancient times, the treatment, quite naturally, was exorcism.

Skulls of men who lived before writing show evidence of crude surgery to relieve epilepsy. Trepanning of these skulls indicates efforts of primitive man to release the gods or devils possessing the person with seizures.

The ancient Greeks called it "the holy disease." Martin Luther named it "the demon disease." In Scotland, in the middle ages, the epileptic woman who became pregnant was buried alive.

Only occasionally, the gleam of a scientific mind would shed a little light.

In 450 B. C. Hippocrates made astute observations regarding epilepsy. He considered epilepsy a disease of the brain, due to natural and not supernatural causes.

But all through the ages treatment of epilepsy was ineffective. It was generally believed that people with epilepsy required custodial care, either in prisons or almshouses, and, more recently still, in hospitals or colonies for epileptics.

In fact, not even partially effective treatment for epilepsy was known until 100 years ago. Then, in 1859, it was found quite by accident that the bromides reduced the frequency and violence of seizures. No further advances were made in medical treatment of epilepsy until 1912, when barbiturates were introduced, but they did not come into general use as anti-convulsives until about 1922.

These medicines were, of course, depressants. While they reduced the frequency of seizures in many cases, too often the effective dose was also the toxic dose, so that the person, although possibly seizure-free, was so lethargic he could not hope to lead a normal life.

So, with the first quarter of the 20th century, a time when everyone in this room was already living, we may say that the 1st



chapter in the history of progress in epilepsy was written. In fact, many of its authors are with us tonight.

The first major breakthrough for success in epilepsy occurred after a young medical missionary for the Rockefeller Foundation, working in China, became interested in the problem. Upon his return to the States his interest quickened and he began a long program of activity in Boston, where he was connected with the Harvard Medical School and Children's Hospital.

Truly, it may be said that the modern medical era for epilepsy began at this time under his leadership.

For with his enthusiasm and devotion he attracted brilliant young men around him and together they pondered the causes and treatment of seizures. This man should rightly be called the father of modern attempts to deal with epilepsy. This physician, author, crusader for public understanding of this ancient neurological disorder is William G. Lennox. Most regretfully, he is unable to be with us tonight. Yet, at 74, he is still working tirelessly on another book on epilepsy.

Now real progress was being reported. Developments followed developments in swift succession, as though to say, time had stood still long enough.

One of the most dramatic accomplishments occurred 21 years ago when two young medics codetermined the effectiveness of the first modern anticonvulsive medication.

This new medicine, produced by a major pharmaceutical house, proved to be effective in reducing or even eliminating seizures in many cases and had the great advantage of not being a depressant.

Now people, treated with this medication, their seizures stopped or greatly reduced, found themselves able to carry on normal activities.

Surely, discovery of this medicine must rank in the annals of medical science with the developments of the more widely publicized Salk vaccine.

For this new medicine helped bring more alleviation of suffering than any discovery in the age-old history of the disorder. The young medics are now distinguished neurologists. They are Tracy Putnam and H. Houston Merritt.

Quite understandably, while the attack on the medical front was going forward there began to be highlighted a cruel lag in public understanding of the plight of these people suddenly brought within reach of normal living—only to discover that social and economic barriers still stood to be surmounted.

Clearly there was a need for organized work in these areas.

And now the tempo of our story speeds up. Where we had been talking in terms of centuries, now we can report major developments every few years.

The first successful anticonvulsant was discovered in 1937.

Five years later the first seeds of the lay movement were sown. Many of Dr. Lennox' patients, enthusiastic and grateful for the medical miracle that permitted them to resume, or begin, normal life, wanted to make the same opportunities available to others.

So, in 1942, they formed a not-for-profit voluntary health organization known as the Laymen's League Against Epilepsy. It is in this early group that you find the foundation of the present National Epilepsy League.

The name of the voluntary organization was changed to the American Epilepsy League in 1946, and to the National Epilepsy League in 1950, when the National Association to Control Epilepsy of New York City and the American Epilepsy League of Chicago were merged to form at last a single, overall permanent national organization.

One of the present members of the board of directors of the National Epilepsy League was the second president of the American

Epilepsy League, Mrs. Wheaton Kittredge, at that time Mrs. Brooks Potter.

A woman of unusual courage and wisdom, Mrs. Kittredge was one of the first persons willing to tell her story about epilepsy publicly, its handicaps and what the modern treatment of seizures could mean to the person afflicted with this disorder. A great milestone was reached with the publication, in a national magazine, of her signed article, *Woman Without Fear*.

To understand the degree of courage required to announce publicly that one is an epileptic, we need only pause to try to name a single person with epilepsy in any field of public life in our time who has done the same.

Yet we know they exist, high in government, in sports, in industry, entertainment, and the arts.

And they can protect their secret because of modern medical know-how. One can only speculate, of course, on what the kings, and emperors, and great men of early times with epilepsy would have given for medication obtainable today for little more than the cost of each day's newspaper.

Or what greater gifts could have been bestowed upon the world had the seizures of these men been placed under control by medication.

Look at the roster of some of the world's greats who were epileptic:

There was Mohammed, and Caesar, and Peter the Great, Alexander the Great, Louis XIII of France, Charles V of Spain, Ferdinand of Castile, Archduke Charles of Austria, William III of England. There was Lord Byron, Gustave Flaubert, Swinburne, Paganini, Pascal, Dostoevsky, Berlioz, and Guy de Maupassant; and Swedenborg, Socrates, Cardinal Richelieu, Van Gogh, and Handel.

Such a rollcall must be a source of encouragement to epileptics everywhere, but what greater challenge to overcome their handicap would arise from the knowledge that great people today have won high honor.

But the success stories of these people are lost to us because of the stigma of epilepsy.

At about the same time that Drs. Merritt and Putnam were testing the effectiveness of the first modern anticonvulsant medicine, another of the young men in this group was pursuing a somewhat different line of investigation.

A few years earlier a German psychiatrist had invented a machine to measure electrical discharges of the brain. Medical men, long frustrated by the difficulty of working with that most inaccessible part of the human body, the brain, must liken this development to scientists' present probing of outer space.

And the young physician who applied that machine, called an electroencephalograph, in the diagnosis of epilepsy, is Dr. Frederic Gibbs, now of the University of Illinois Medical School and Consultation Clinic on Epilepsy in Chicago.

His studies helped open up an entirely new avenue of progress in proper and more accurate diagnosis and speedier control of seizures. Happily, this progress has encouraged other medical experts to enter the field and now electroencephalography is almost a medical specialty in itself.

As word of success of modern medical treatment began to spread, one of the most important side developments has been the accumulation of more accurate facts about epilepsy.

For the first time in history it began to be possible to get statistical data on the personality, intelligence, educational, vocational, and social situation of people with epilepsy.

Now the National Epilepsy League was able to understand more fully the effects of the disorder on the lives of its victims.

The league now knew that epilepsy was a major health problem, affecting 1,500,000 people in this country.

It knew that these people came from every geographical area, from both sexes, all economic groups, all intellectual levels. And that it can affect anyone at any age.

As the National Epilepsy League's study of the problem progressed, it became apparent where the real tragedy in epilepsy lay.

Although modern medical treatment was now effective in 4 out of 5 cases, it was available in only 1 out of 5 cases.

Think what it would mean if only 1 in 5 children obtain Salk vaccine, or if there was a cancer control available to only one-fifth of its victims.

The reason why this situation obtains in epilepsy is simply the scarcity of trained physicians and of clinics to provide the treatment.

And then, as though this shortage were not torment enough, still another problem of tragic proportions arose. Thousands of letters poured in to the league office from those who had received treatment that resulted in control of their seizures.

Were these paeans of joy and triumph? No. The league now learned that the psychological, social and economic consequences of being known as an epileptic were—in many respects—more devastating than the seizures.

The writers said:

"I am still shunned by my neighbors."

"My son is denied an opportunity to attend public school."

"I am refused employment I am qualified to hold."

So it was that about a decade ago the National Epilepsy League decided it would work toward solution of the two most basic problems:

1. The tremendous shortage of medical experts and treatment and research facilities necessary to serve 1,500,000 patients with epilepsy.

2. Although effective medical treatment in the majority of cases had been discovered more than a decade earlier, children were still denied their legal rights to an education in the public schools.

With a budget of \$25,000 and a staff that consisted of an executive and a clerical force of 1½ persons, the league tackled these huge jobs. What was lacking in manpower and funds was compensated for in large measure by the dedication, insight, and diplomatic skills of the league's national director, Ben Gray. Let me pause here to say that his genius in making that tiny amount of money move mountains and in guiding the league over its first plateau must stand as one of the outstanding feats of voluntary health agency work of our time. So high has been his achievement and so clear the course he has helped to chart that his successor must be forever grateful that Ben Gray went before. And for the thousands upon thousands of victims of epilepsy who have directly or indirectly come to know his kind of understanding and wisdom, Ben Gray's contribution to the modern era of epilepsy is firmly inscribed.

Now it also became clear that because of the tremendous size and many facets of the problem, only a recognition of the disorder as a major public health problem, with support by tax funds, could result in its solution.

A solution of the medical problems in epilepsy is basic to a solution of all other problems. The league came to the conclusion that a National Health Institute, similar to those established for cancer and heart, with annual appropriations by Congress, was needed.

At this time many bills had been presented in both Houses of Congress proposing the setting up of splinter institutes in the neurological disorders.



ing of the east front in its present location would cost at least \$5 million, and that it might easily cost \$10.1 million or more, depending on structural problems encountered. The \$10.1 million figure is the estimated cost of the entire east front extension project.

#### STATEMENTS QUALIFIED

In the new report, the architects reduced and qualified flat statements they made at Senate hearings last month that refacing the present front would cost more than the \$10.1 million needed to extend it.

Yesterday's report, based on new studies, said a refacing would involve "too many intangibles to permit an accurate (cost) estimate to be made. There are many cracks which extend from parapet to footing and some of them extend completely through the wall. What underpinning, what tie rods and braces, what shoring and needling would be required would only be known as the work progressed."

On the east walls alone, however, the architects said a conservative cost estimate would be \$2.5 million. And at least another \$2.5 million, they said, would be needed to replace the big central portico, with its columns and pediment.

Against this minimum \$5 million refacing cost, the architects said, the actual cost of building the extended east walls and portico would be \$4,750,000. But the \$10.1 million figure for the project also includes \$3.5 million for interior work within the extension and \$1,850,000 for related work inside the main Capitol and for a contingency margin.

#### ALTERNATIVE PROBLEM

The consultants say that just as a refacing of the existing east front presents serious problems, so would the second alternative cited by critics—a piecemeal replacement of isolated wall stones and ornaments as they show signs of needing it.

When, for example, should the replacements be made? the new report asks.

"Should it be necessary for a stone to fall out of place? Pieces have fallen and others may fall at any time. Should ornamental features be permitted to erode to oblivion before they are replaced? If so, what will serve the carver as a model? One of the portico capitals (the huge ornaments above the portico columns) is wired together—should it be replaced now?

"And what of the cornice above these column capitals? There is unquestionably, some sort of dowel or anchor between the capital and cornice and between the capital and column. To remove a capital, these dowels or anchors must be sawed through and the means of anchoring is forever lost. As one capital after another deteriorates and is removed, there will be a series of unanchored columns . . . devoid of any lateral stability, tottering in every gale.

#### "PROGRESSIVE DETACHMENT

"Perhaps the greatest problem is not in the matter of ornament, but in the simple masonry of the walls. When one outside stone is removed and replaced, there is no way by which the new stone can be anchored to the inner wall. As stone after stone is cut away, there will eventually develop great areas in which the outside masonry is no real part of the wall, contributing nothing to its strength. In effect there would be ultimately a free-standing wall . . . which we could only hope would be able to support and resist the load against it—a vain hope in view of the vertical cracks now apparent.

"Finally, all of the stones set under the watchful eyes of Thornton, Latrobe and Bullfinch will eventually be replaced and only the design will remain.

"Shall the replacements be of enduring stone or of the same soft sandstone? In any event, the passing years would see the east front as a hodgepodge of new, old and medium-aged stones, some with 3 coats of paint,

some with 50; some details sharp, some dull, some gone altogether. Is this to be the future of the Capitol?"

#### PLAN RIDICULED

A number of critics of the extension proposal have picked up as a good idea, the third alternate approach to deal with the east front—simply to scale half an inch or so of deteriorated sandstone off the old east front.

This suggestion came in a Bureau of Standards report, in an analysis of several cores of sandstone. The report said painting had protected most of the stones' interiors by sealing them off from the weather. Therefore, the report said, the problem of deterioration might be solved simply by cutting away the rotten outside.

This scheme gets the shortest attention from the Capitol's consultants because, they say flatly, it is ridiculous.

It's ridiculous because the Capitol's facade is not flat. It is a continuous maze of elaborate ornamentation, of carved sculpture, and columns, cornices and scrolls. Trim a half inch off some of them and nothing is left. Shave a half inch from the columns and their architectural proportions are gone. The entire, well-loved appearance of the building would be changed. Even the window frames wouldn't fit.

The fourth alternative—to do nothing at all with the east front except paint it regularly and practice regular maintenance—is rejected by the consultants with equal vigor.

Capitol Architect J. George Stewart was asked at last month's hearing whether he had enough maintenance money to keep the building in shape. He said the problem wasn't maintenance, but that the east front's condition arises from such basic structural deficiencies that more drastic correction is essential.

#### CALL FOR PROTECTION

If the east front remains in its present condition, the consultants insist, the areas below either should be roped off to pedestrians or some sort of protective scaffolding put up.

Julian Bepko, Washington architect and chairman of a Committee to Preserve the National Capitol, suggested to the Senate committee that deterioration purposely might have been permitted to continue in order to present another argument for east front extension.

It is probably true that if the extension project had never been in the picture, Architects of the Capitol long ago would have proposed some other drastic program to deal with the deteriorating front.

But there is no evidence that any Architect of the Capitol—as Mr. Bepko implied—has closed his eyes to anything which could be corrected short of a major overhaul of the entire front. Indeed, as Mr. Stewart and Capitol Architects before him have warned, the real dangers lie not in the defects that are visible today, but in the problems which may crop up as the result of hidden defects tomorrow.

#### GREEK INDEPENDENCE DAY

Mr. BEALL. Mr. President, yesterday was the 137th anniversary of the independence of Greece, and today our invocation in the Senate was offered by the head of a great Greek Orthodox Church, Father Nicholas Străvrakis. It is with much personal pride that I call attention to the fact that Father Stăvrakis is from my own State of Maryland—from St. Nicholas Greek Orthodox Church of Baltimore.

The celebration of independence days are always of great significance. Es-

pecially is this true with the celebration of Greek Independence Day.

Greece was the cradle of freedom, and the Greeks were the people who evolved the idea of freedom and gave it a living form. In the long and glorious history of the Greeks there are many important dates, but in their modern history the great date is March 25. On that day in the year 1821, Greeks revolted against their oppressors and proclaimed their national independence.

One hundred and thirty-seven years ago yesterday, a band of brave Greeks under the leadership of a dauntless archbishop in Patrás unfurled the banner of revolt and proclaimed their national independence. From that day on, for more than 8 years, Greek warriors fought bravely against the forces of the Ottoman Empire. At times, the Greek cause seemed hopelessly lost. Against heavy odds the Greeks held their own, even when they witnessed the butchery of their loved ones. These horrors were enough to rouse the powers of the West. Western powers discarded their neutrality and in 1827 began to help. Final victory came in the naval battle of Návārino on October 10, 1827.

Personally, I have always been keenly interested in the people of Greece. I like to consider myself one of their warmest sympathizers and sincerest champions.

The people of the United States recognize the great debt of all mankind to the land from whence came our inspiration for independence. We have helped the Greeks financially and with technical assistance and in a military way.

The people of our country have joined with those of Greece in celebrating their day of independence.

#### ONE HUNDRED EIGHTY-SECOND ANNIVERSARY OF FORMATION OF STATE LEGISLATURE OF SOUTH CAROLINA

Mr. JOHNSTON of South Carolina. Mr. President, this is a proud day in the history of the legislature of my native State of South Carolina. At 4 o'clock in the afternoon of March 26, 1776, our general assembly, or State legislature, was born. This date becomes significant when we recall that it was not until 3 months thereafter that our Nation's Declaration of Independence was declared. It was more than 11 years prior to the adoption of the Constitution of the United States in 1787. Delegates from all the districts in the Colony of South Carolina, having been previously elected, assembled in Charleston on January 11, 1775, and organized a temporary Provincial Congress. On February 1, 1776, these delegates prepared a formal declaration, the essence of which provided that South Carolina "was now and by her own act a free and independent State."

It was on the 26th of March 1776 that John Rutledge was elected president and Henry Laurens vice president of the assembly. The terms "governor" and "lieutenant governor" were shortly thereafter applied to these respective offices. A State Constitution had al-



ready been considered and adopted by the delegates. By this formal, legislative act of a free assembly not only was the State legislature created, but also at the same time all allegiance to any domination by an English assembly was renounced.

The members of our State legislature have every reason to be proud on this 182d anniversary. The stress and strain of current problems weigh heavily upon all of us. Yet we do well to pause and reflect upon the experience of the past. The courage with which our forebears met their trials and tribulations, affords us a lamp to light our paths for the future. A knowledge of the history of our legislative growth, of the sacrifices and challenges of those who charted its early development gives us a fuller understanding of our present duty and responsibility. We must at all costs keep our record unsullied and unmarked by the distractions that would thwart our course of plain duty. We shall remember these great events. We shall repeat and dare not forget them. Our children must be taught these lessons.

Who were our pioneers? Henry Laurens, after serving as lieutenant governor, was called to larger responsibilities. He was designated by the Continental Congress as its second president, succeeding John Hancock. Henry Laurens served from 1757 as a representative in the English Commons house assembly in South Carolina, along with Lynch, Pinckney, Gadsden, and others. This experience served him well. These first elected legislators of South Carolina were deeply grounded in constitutional liberty. They loved freedom. They hated tyranny. They were men of eminence, judgment, foresight, and ability. The history of our legislature has been enriched by the touch of genius given to it by such men. John Adams, after only a month's acquaintance with Henry Laurens, said of him in a letter to Mrs. Adams:

I feel a strong affection for South Carolina for several reasons:

I think them as staunch patriots as any in America; I think them as brave. They are the only people in America who have maintained a post and defended a fort. They sent us a new delegate whom I greatly admire, Mr. Henry Laurens, their lieutenant governor, a gentleman of great fortune, great abilities, modesty and integrity, and great experience, too. If all the States would send us such men, it would be a pleasure to be here.

Great tribute is due the early founders of our legislature. Our legislative system, which they established, affords our people the most nearly perfect means of expressing their will. Sovereignty, as we know it, and all sovereign power are vested in our citizens. It is inherent in them. Our legislature constituted by them is empowered to give full and meaningful expression to the sovereign powers of our people. The separate and independent autonomy of the State and its maintenance and preservation as an indestructible unit of our National Government are as great a concern today as they were on the day of their creation. The measure of our duty and responsibility as individuals is no less sacred or important. Through

the years our State legislature has maintained with dignity and honor the sacred trust which has been our cherished heritage.

I salute the members of the State Legislature of South Carolina as I remind them of the birthday of the first free legislative assembly in the United States. I may proudly say that the legacy given us has not been treated lightly. We respect the traditions of the past which show us the way for the future.

The accumulated wisdom of our forefathers, the painful sufferings and bitter experiences which were theirs to bear are a constant source of strength and inspiration to all of us who are privileged to follow the high standards they set. The solution of the problems we face today and those which will arise tomorrow is made less difficult by a better appreciation of our inheritance. May the members of our legislature be ever mindful as they have always been, of the great responsibility resting upon them as the duly elected representatives of the people for the expression of the sovereign power of our citizens. Their labors will not be in vain, but will be fruitful in the years to come. Then He, who is the source of all our light, hope, and strength, will be and abide with us in all our worthwhile undertakings.

#### FEDERAL-AID HIGHWAY ACT OF 1958

Mr. KNOWLAND. Mr. President, is there further morning business?

The PRESIDING OFFICER (Mr. REVERCOMB in the chair). Is there further morning business? If not, business is concluded; and the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 3414) to amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that I may be permitted to suggest the absence of a quorum without the time being taken from either side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

#### DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Robert Newbegin, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Honduras.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Horace H. Smith, of Ohio, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Laos.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of James S. Moose, Jr., of Arkansas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Sudan.

Mr. FULBRIGHT. Mr. President, during the period I have served in the Senate, many thousands of executive nominations have been considered. I have supported the great majority of these appointments following the recommendation of the committee which had reviewed the qualifications of the nominee. Even on occasions when I have been less than enthusiastic about particular nominations, I have sometimes gone along with the view that the appointment had to be made and, after all, our best people were not interested in public service.

This afternoon, however, it is a pleasure for me to support an exceptionally well-qualified person who is being named to represent the United States in one of the troubled areas of the world. I refer to James S. Moose, Jr., who has been nominated to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Sudan, to succeed Lowell C. Pinkerton, the first American Ambassador to Sudan. In this case, we are not having to swallow mediocrity because Ambassador Moose is an old pro who knows his diplomatic business.

Ambassador Moose is a native of my State, having been born in Morrilton, Ark. He attended the Kentucky Military Institute and was graduated from the University of Missouri in 1922, where he was a member of Phi Beta Kappa.



After graduation from college, he traveled to Mexico and enrolled in the Universidad Nacional de Mexico, and it was here he developed his interest in international affairs. In January 1928, he was appointed a Foreign Service officer. After a tour of duty as vice consul at Salonika, Greece, Mr. Moose was assigned to L'Ecole Nationale des Langues Orientales Vivantes at Paris for special instruction and became one of our first Arabic language officers in the Foreign Service. As evidence of his attainment, at the conclusion of the course, the principal of the school included in his customary progress report his desire to appoint Mr. Moose a member of the faculty.

After this special schooling, Mr. Moose was assigned at Beirut in 1932, with other Near Eastern postings following at Baghdad, Teheran, Jidda and Damascus. In 1942, he opened the American Legation at Jidda and later became Minister Resident, thereby becoming the first American envoy to reside in Saudi Arabia.

He served as Chief of the Division of African Affairs and Deputy Director of the Office of African and Near Eastern Affairs in the Department of State.

In 1952, he was appointed Minister to Syria. When the post was made an embassy, Mr. Moose was elevated to the rank of ambassador and was promoted to the rank of career minister.

Mr. President, I have known Ambassador Moose for many years. He is an erudite and dedicated Foreign Service Officer. He had a goal in life, prepared himself by studying difficult and unusual subjects, and is now succeeding in the fulfillment of that high standard required of our ambassadors.

Mr. President, Ambassador Moose was reared in the central part of my State. He has acquired the ability of speaking, reading, and writing of French, the art of speaking and reading Arabic and Persian, and the reading of both Spanish and Turkish.

Ambassador Moose has a keen and deep understanding of the people of the Arabic world, and the problems they face. And yet, Mr. President, despite the fact that Ambassador Moose has devoted his life serving our country in all parts of the world, he has still maintained close relationship with his native State. On every possible occasion he returns to Arkansas and it is a source of inspiration to our people to learn of his experiences in diplomatic relations throughout the world.

While in Syria, where he served from 1952 to 1957, Ambassador Moose was confronted with one of the most difficult assignments in the Near East. As we all know, during this period, Syria was going through a chaotic political period which resulted in the overthrow of the Shishakli regime in 1954. Also during this period, there were numerous changes in the Government and an excessive amount of foreign interference in Syrian affairs with the preponderance of such influence working against the United States objectives in Syria.

With his long experience in Near Eastern affairs, his familiarity with Arabic,

and his unusual knowledge of the psychology of the peoples of the Near East and of the political trends in the Arab world, Ambassador Moose was extraordinarily competent in assessing and dealing with the most difficult and complex situations prevalent in Syria.

Ambassador Moose has been nominated as this Nation's envoy to the Republic of Sudan, which achieved independence on January 1, 1956. The Sudan covers an area roughly one-third the size of the continental United States and has an estimated population of twelve million. Although industrial development in the Sudan is extremely limited, the Sudanese Government officials have expressed an interest in foreign assistance directed toward their economic development.

To this ambassadorial assignment, James S. Moose brings a rich background of many years' experience and proven ability in dealing with Near Eastern peoples.

He has served in practically all of the Arab capitals at various times and is on friendly terms with political, cultural, and spiritual leaders of the Arabic world. It is my belief these people will profit from their association with Ambassador Moose. They will find him a scholar, well informed, with the ability to understand their problems and to convey an understanding of our way of life. We in Arkansas are proud of Ambassador Moose and of the fulfillment of his aspirations. We know our country will be proud of him as our Ambassador to Sudan. Through this mutual association with the peoples of Sudan, the spiritual, cultural, and educational welfare of the entire world will be greatly enhanced.

It is my hope the Senate will favorably consider the confirmation of the nomination of James S. Moose, Jr. to be Ambassador to the Republic of Sudan.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Robert F. Woodward, of Minnesota, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Uruguay.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be immediately notified of all nominations confirmed this day.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

#### LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H. R. 11470) to

adjust the method of computing basic pay for officers and enlisted members of the uniformed services, to provide proficiency pay for enlisted members thereof, and for other purposes, in which it requested the concurrence of the Senate.

#### HOUSE BILL REFERRED

The bill (H. R. 11470) to adjust the method of computing basic pay for officers and enlisted members of the uniformed services, to provide proficiency pay for enlisted members thereof, and for other purposes, was read twice by its title and referred to the Committee on Armed Services.

#### FEDERAL-AID HIGHWAY ACT OF 1958

The Senate resumed the consideration of the bill (S. 3414) to amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes.

Mr. JOHNSON of Texas. As I understand, the Kerr amendment is the pending question. Is that correct?

The PRESIDING OFFICER. The pending question is the Kerr amendment proposing to strike out a certain section of the bill.

Mr. JOHNSON of Texas. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. Under the unanimous-consent agreement, 2 hours of debate are reserved to the proponents, and 2 hours to the opponents. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. JOHNSON of Texas. I am sure the Senator from Oklahoma, if he is ready, will now allot to himself such time as he may desire.

Mr. KERR. I allot myself 10 minutes at this time.

Mr. President, yesterday there was a good deal of discussion as to whether words mean what they say or mean what the authors of the words would like to have them mean. Statements and repetitions were made by my distinguished friend, the junior Senator from Tennessee [Mr. GORE] about safety and about effectiveness, and he referred especially to subsection 3 of the bill, beginning at line 18 on page 21. He talked about how unsafe signs were. Then he said that subparagraph 3 was only a part of a portion of the standards which had to be prescribed and promulgated by the Secretary of Commerce. The language of the bill provides that the Secretary of Commerce must prescribe rules and standards which will provide for "signs not larger than 500 square inches."

I am placing some signs of that size at the rear of the Chamber. I submit to Senators that they would constitute a safety hazard, not a safety device. I submit that people driving along the highway, if it is the time of day when they are looking for directions to a



motel or a service station or a restaurant, or some other facility, will be looking for a sign along the road directing them to the facility of which they are in need or about to be in need. I submit it is utterly ridiculous to prescribe by law that a sign on a highway, calculated to be of service to a traveling citizenship, cannot be larger than 500 square inches. Instead of being a safety factor, it would be a device calculated to result in danger and accident and damage.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. KUCHEL. When the 500-inch amendment was offered in committee, will the Senator tell the Senate whether he voted in favor of the amendment or against it?

Mr. KERR. I voted for it. Now I should like to ask the Senator a question. When the amendment was finally approved by the subcommittee and offered as an amendment to the bill, did the Senator from California vote for it or against it?

Mr. KUCHEL. I voted for it.

Mr. KERR. The Senator is mistaken.

Mr. KUCHEL. I voted for the bill. I voted against the amendment.

Mr. KERR. The Senator voted against the amendment which is now a part of the bill.

Mr. KUCHEL. Yes; and the Senator from Oklahoma voted for the amendment.

Mr. KERR. The Senator from Oklahoma voted for the 500-inch amendment because the Senator from Oklahoma is against the entire amendment. He believes it is a piece of folly. He thinks it is the result of a mistaken concept of the purposes of the act.

Mr. President, I was comforted for many years in the Senate by the feeling that my friend from California, with his eminent ability and capacity, was alined with me and the forces of freedom. One of my great disappointments since I came to the Senate is that my friend from California has become a casualty in the fight for that cause.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. KERR. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Will the Senator replace on the easel the Jo Doakes sign? Is that an actual sign, or has it been made up for illustration purposes?

Mr. KERR. All these signs are samples. I asked that some samples be prepared which would be calculated to present to the traveling public information on hotels, motels, restaurants, and so forth.

Mr. CASE of South Dakota. Of course the size of the signs and the shape of the signs were selected by the person who made them. Is that correct?

Mr. KERR. The Senator is correct.

Mr. CASE of South Dakota. Did that person also take care of the spelling of Jo Doake's name?

Mr. KERR. I am unable to answer that question. If there is any error in

the spelling, I must take the responsibility for it.

Mr. CASE of South Dakota. I was wondering whether the Jo Doake's garage is being operated by a man or a woman.

Mr. KERR. If there is an error in it, the Senator from Oklahoma must take responsibility for it.

Mr. CASE of South Dakota. I do not want to place any responsibility on the Senator from Oklahoma.

Mr. KERR. I have advised the Senator from South Dakota that I did not prepare the sign. Neither am I acquainted with Jo Doakes. Not being acquainted with Jo Doakes, I would have no more ability to advise anyone as to the sex of Jo Doakes than would the Senator from South Dakota, and perhaps not so much.

Mr. CASE of South Dakota. I thought perhaps the "e" had been misplaced in the name.

Mr. KERR. Where would the Senator place the "e"?

Mr. CASE of South Dakota. I would have put it after "Jo." I would spell the name "J-o-e."

Mr. KERR. I ask unanimous consent that the "e" in "Doakes" be transferred so as to become a part of the name "Jo." The sign would then read "Joe Doaks."

Mr. HUMPHREY. I object. [Laughter.]

The PRESIDING OFFICER (Mr. COTTON in the chair). Objection is heard.

Mr. HUMPHREY. I withdraw my objection.

Mr. KUCHEL. I object.

The PRESIDING OFFICER. Objection is again heard.

Mr. KERR. Another objection was heard, but not the same one.

The PRESIDING OFFICER. The Senator is correct. Another objection is heard.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. KERR. I yield to the Senator from Arizona.

Mr. GOLDWATER. I may say to my distinguished friend from Oklahoma that I am not able to stay in the Chamber at this time because of another commitment. However, I wish to assure my friend from Oklahoma that all Republicans have not deserted the cause of freedom. I am one Republican who intends to stand with the Senator from Oklahoma on his amendment.

Mr. KERR. I thank the distinguished Senator from Arizona, and I say to him that his statement in this regard is entirely consistent with the very worthy record he has made of standing four-square in protecting what rights the States still have from further encroachment by the Federal Government.

Mr. KUCHEL. Mr. President, will the Senator from Oklahoma yield so that I may ask a question of the Senator from Arizona?

Mr. KERR. Certainly. However, I must warn the Senator from California that he does so at his peril.

Mr. KUCHEL. Perhaps that is why I am a little nervous this morning.

I should like to ask the Senator from Arizona whether he has been correctly quoted to the effect that he intends to offer a national right-to-work amendment which will apply to every State in the American Union. Is that correct?

Mr. GOLDWATER. The Senator is incorrect in that statement. I have not offered a national right-to-work amendment in any sense of the word. I have offered an amendment which would remove the 30-day clause of the Taft-Hartley Act. If the Senator indicates by his question that he wishes to stand with me on that ground, I welcome him.

Mr. KUCHEL. In suggesting that I stand with the Senator from Arizona let me ask whether it is the Senator's belief that Congress should enact legislation to provide for the right to work across the country?

Mr. GOLDWATER. No. I have said on the floor of the Senate that I do not believe in national right-to-work legislation. I believe in voluntary unionism. I believe in the freedom of the working man to join or not to join a union.

If the Senator from California is trying to read into my suggested amendment a national right-to-work proposal, he is a little far afield.

Before I could answer him further, I would have to ask his permission to drink some of the water his State takes from my State, so that I would have the strength to go forward with a discussion on the matter.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. KERR. I yield myself an additional 10 minutes. I will welcome any questions which my good friend the Senator from California, wishes to ask me; but, in the future, if he wants to wander aside into fields of exploration unknown to him and foreign to the subject the Senate is considering, I urgently request that he give serious thought to doing it on his own time.

Mr. President, there are a few things about the amendment which I think Senators would be interested to know. To begin with, S. 3414, which is now before the Senate, is, although some of its sponsors seem to be unaware of it, an emergency highway construction bill. It is in the form of a grant.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. MARTIN of Pennsylvania. Is it not probably true that if it were not for the unemployment in the Nation at present, Congress would not be considering a highway bill at this time?

Mr. KERR. Mr. President, will the Senator please repeat his question?

Mr. MARTIN of Pennsylvania. If it were not for the unemployment in the United States at present, is it not doubtful that a highway bill would be under consideration at this session of Congress?

Mr. KERR. The Senator from Pennsylvania is eminently correct. If it were not for the critical situation relating to increasing unemployment, certainly the bill would not now be before the Senate; and there is no way to determine defi-



nately that it would have come before the Senate at all this year.

Mr. MARTIN of Pennsylvania. Is it not true that the section to which the Senator from Oklahoma is now referring does not have anything to do with relieving unemployment, but is really a police or a legislative matter, in the form of a directive to the various States?

Mr. KERR. It is a hybrid product, I may say to my friend from Pennsylvania. I would not want to limit myself to saying that either of the terms fully describes it; but all of the terms are applicable; yes.

Mr. MARTIN of Pennsylvania. I thank the Senator from Oklahoma.

Mr. KERR. The bill before the Senate provides for emergency highway construction. The Senator from Tennessee [Mr. GORE] said that, when implemented, it would provide 500,000 jobs. I wish that were correct. I am convinced that it will provide an additional 200,000 jobs, so far as its emergency features for accelerated highway construction are concerned. But while it is stepping up the employment of men on the highways, it will create unemployment in many other businesses now operating in the United States. The tragedy is that the section now under consideration has no connection with the purpose of S. 3414, which, as I said a moment ago, is to provide additional grants of money in aid to the States.

Section 12 seeks to be the instrument to grasp power from the States. The bill provides for a highway construction program; yet it is sought to make it a bill to regulate billboards. It is a bill to speed up the construction of defense highways. If Senators will refer to the Highway Act of 1956, they will find that Congress declared a policy of seeking to erect a system of interstate and defense highways.

The sponsors of section 12 seek to make the highways created by Congress and started by the people as defense highways into a sort of dream world, an aesthetic Alice in Wonderland, to conform to a dreamful fancy totally dissociated from the requirements of reality and the purposes of the enactment of the program of building a system of interstate and defense highways.

S. 3414 is a bill to halt and reverse the recession now bedeviling the Nation; to give employment, as was suggested by the Senator from Pennsylvania [Mr. MARTIN], to the hundreds of thousands now unemployed. The proponents of section 12 would make it an instrument to create unemployment. They would make it an instrument to put tens of thousands of people now employed out of work.

S. 3414 is a bill designed to reinforce the opportunities of small business without limit. When we contemplate what will result from the building of all 41,000 miles of interstate and defense highways; when we contemplate the additional opportunities for the reinforcement of existing small businesses and the starting of new ones; we get a great thrill out of a very constructive feature of a road-building program. Yet the sponsors of section 12 would create an instru-

mentality for the destruction of thousands of small businesses. They would make it a juggernaut of Federal control in a realm or a field where the Federal Government has never yet dared to put its foot.

In 1944 Congress adopted the Randolph amendment, which provided that under no circumstances could Federal funds, appropriated as grants-in-aid to the States for the construction of highways, be used as an instrumentality of coercion and intimidation in the relationship between the Federal Government and the State governments.

The sponsors of section 12 would put the needle—the hypodermic needle—into the States, inoculating them with twilight sleep. While the States were in that twilight zone of semiunconsciousness, the proponents of section 12 would steal from the States the power the States now have to regulate what is to be built along the highways within their boundaries. When the States awakened from the twilight sleep which would be imposed upon them, they would find that the power they had had from the creation of the Union to be the sole regulatory power of what was built along their highways, had been stolen from them by the Federal Government. What would they have received in return? The same thing that Judas Iscariot received for the betrayal of his Master—pieces of silver. For the first time since I have been a Member of this body, an effort is being made to offer the sovereign States pieces of silver in return for their sovereignty. The proponents of section 12 are seeking to empower the Secretary of Commerce to be in the posture of saying to State highway departments, "Come unto me. If you want a little more money, and if you will make with me a contract whereby you will endeavor to surrender the police power and the sovereignty of your State, I will give you, in return, a few million dollars."

Mr. President, I submit that if the Federal Government can buy State sovereignty with reference to the control of the State highways, then the Federal Government can buy State sovereignty with reference to everything else which men now seek to keep within the control of their States.

The PRESIDING OFFICER (Mr. MORROW in the chair). The time of the Senator from Oklahoma has expired.

Mr. KERR. Mr. President, I yield myself an additional 5 minutes.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 5 more minutes.

Mr. MARTIN of Pennsylvania. Mr. President, at this point will the Senator from Oklahoma yield to me?

Mr. KERR. I yield.

Mr. MARTIN of Pennsylvania. Would not it be just as reasonable for the Department of Defense to offer certain financial inducements to the National Guard in the various States?

Mr. KERR. The Senator from Pennsylvania is eminently correct. There would be just as much justification to pass a law providing that the Secretary of Defense could make with the adjutant general of a State, a contract by means of which the adjutant general of the

State would be empowered to surrender to the Department of Defense, in return for money, the sovereignty of the State with reference to some phase of its own National Guard.

Mr. MARTIN of Pennsylvania. I am trying to point out that this is a dangerous precedent. Regardless of how one may feel about the control of billboard advertising along the Interstate System, this is a dangerous precedent.

Mr. KERR. I thank the Senator from Pennsylvania.

Mr. President, if men wish to control billboards along the highways, let them have the courage to do 1 of 2 things: Either implement a program of purchasing from the owner, of the right along the highway, his property, and thus pay him for it; or pass a law whereby, under the recognized process of eminent domain, an effort would be made to acquire it.

Mr. President, I do not think the Federal Government has the power, nor do I think a State has the power, to implement the principle of eminent domain to acquire an interest in a person's property for an esthetic purpose. I do not think that is contemplated under the law of eminent domain.

But if men have courage, and if they favor the control of areas along a highway, they should approach the matter in the American way, either by exercising the power of sovereignty to obtain control on the basis of paying for it, as adjudicated by a court; or by seeking to purchase it from the owner, on the basis of negotiation and barter, whereby he would be paid for it.

Mr. CASE of South Dakota. Mr. President, will the Senator from Oklahoma yield to me?

Mr. KERR. I yield.

Mr. CASE of South Dakota. I appreciate the courtesy of the Senator from Oklahoma in giving me this opportunity to make this statement at this point in his remarks. I certainly wish to say now, as I said on yesterday, that I do not believe the Federal Government has the right, under eminent domain, to take property for the purpose of preventing the erection of billboards. I believe the Federal Government, with the consent of the State concerned, may acquire rights-of-way for the construction of a highway. I do not believe it has the right of eminent domain, nor do I believe it has the police power to prohibit billboards off the right-of-way of a highway, on the private property of the persons who own the land along the highway. I so stated during the hearings.

In fact, at one point during the hearings, when there was presented the argument that the Federal Government could prohibit the erection of billboards, I challenged the person who was making that statement to cite any Supreme Court decision which would show that the Federal Government had such a police power. The only decision cited, in answer to that challenge, was a Supreme Court decision affecting the District of Columbia. I pointed out at once that that proved the point, inasmuch as Congress has full power to legislate for the District of Columbia, by virtue of the Constitution; but Congress does not



have a comparable police power with respect to rights in the States.

Mr. KERR. I thank the distinguished Senator from South Dakota. I could not be in more complete agreement with him.

I do not believe the Federal Government has the power to exercise the right of eminent domain to acquire real estate for the purpose of prohibiting the erection of a billboard on it; nor do I believe that a State has that constitutional power. Furthermore, I do not believe that the sponsors of section 12 believe that either the Federal Government or the State has such power. But what they seek to do by means of section 12 is to seduce the State highway department, for money, in return for pieces of silver, to put a pistol in the hand of the Secretary of Commerce and to let him do, by means of the pistol, what neither the State nor the Federal Government now has the constitutional authority to do.

Mr. HRUSKA. Mr. President, will the Senator from Oklahoma yield to me?

Mr. KERR. I yield.

Mr. HRUSKA. I wish to observe that when the States were included among the governmental bodies which cannot exercise eminent domain in a case such as this, for the purpose of preventing the use of signboards on adjacent property, the denial of that right is based upon the fact that the negative easement involved in that sort of proceeding is not a taking of property within the Constitution and within the laws of the several States pertaining to eminent domain. Am I correct about that?

Mr. KERR. The Senator is eminently correct, and the sponsors of the amendment are aware of it. Many of them are distinguished lawyers. Mr. President, they are trying to legalize between a State highway department, which has no such authority, and a Secretary of Commerce, who has no such authority, a contract between two parties, neither one of whom has any such authority, whereby they will be able to deprive third parties who are citizens of the United States of their private property without compensation.

Mr. President, this is the first time since I have been a Member of the Senate that Senators have seriously tried to deprive American citizens of their property without compensation. It is the first time since I have been a Member of the Senate that Senators have seriously tried to seduce States into bartering their sovereignty in return for pieces of silver.

Mr. HRUSKA. Mr. President, will the Senator from Oklahoma yield further to me?

Mr. KERR. I yield.

Mr. HRUSKA. Is the Senator from Oklahoma aware of a similar instance, whereby an officer of a State highway department has sought to enter into a contract with the Secretary of Commerce, the effect of which would be to nullify and set aside State laws, city zoning ordinances, and so forth, which are applicable in the States?

Mr. KERR. Mr. President, the Senators from Nebraska has described in clear, concise, and accurate words a

part of the effort presently being made; and I appreciate his statement. If Government has no respect for the sacred rights of property of individuals, how can Government expect people to abide by the laws? If Government seeks to have a State highway department, without any authority to do so, arm a Cabinet officer in Washington, whose future identity is indeterminable, with a pistol to take property from citizens without compensation, to nullify existing zoning ordinances of cities, municipalities, and local governments, without compensation, but by coercion and force, how can Government expect citizens to have regard for law?

If Government undertakes to arm its agencies with the means to ride roughshod over legally vested interests, depriving citizens of what belongs to them, depriving States of rights which by the Constitution were retained for them, how can Government expect citizens to respect the integrity and the dignity of Government?

I noticed the remarks made by the distinguished Senator from California [Mr. KUCHEL] when he spoke about protecting the rights of California, at the time he was introducing his bill. He said:

In California, the enactment of legislation dealing with the use of property has always been recognized primarily as a function of local government.

He said further:

The point I make is that the State government of California under its constitution can exercise—

And I invite the distinguished Senator from California to listen to this—

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. KERR. I yield myself an additional 5 minutes.

The PRESIDING OFFICER. The Senator is recognized for 5 additional minutes.

Mr. KERR. The distinguished Senator from California said this on the floor the other day—

Mr. KUCHEL. What is the Senator reading?

Mr. KERR. I am reading from page 1335 of the CONGRESSIONAL RECORD of February 3, 1958:

The point I make is that the State Government of California under its constitution can exercise its authority in the field of property use only in the areas of my State which lie outside incorporated cities.

Yet, the Senator from California seeks to provide his State highway department with the ability to give to the Secretary of Commerce a power which under the State of California Constitution his State does not have.

I glorified in his defense of the Constitution the other day. I am shocked now to see him sponsoring an amendment which, if valid and enforced, would leave the constitution of the State of California in a shambles.

I remind Senators similar provisions are in the constitutions of many of the States, provisions which would reserve to the States or give to their local communities certain rights of local self-

government. Yet, if section 12 shall be enacted, and shall be held to be valid, the Secretary of Commerce will be armed with a pistol to make tatters of State constitutions, to make tatters of local zoning ordinances, to make worthless pieces of paper out of titles to property.

We are talking about a strip of land 660 feet wide along 41,000 miles of highway, or a total of 1,320 feet. If the Secretary of Commerce could induce or seduce highway departments of States into entering into a contract, section 12 would enable him to proscribe and prohibit the use by the owners of that 1,320 feet along 41,000 miles of interstate highways and it would enable him to take from those owners and their descendants at the point of a pistol, without paying them, the rights in perpetuity to make legal and valid use of that property.

The proponents say they are doing that to protect culture. What kind of culture? The culture of the supremacy of a Secretary of Commerce over the rights of the sovereign States, over the property rights of individuals, over municipal ordinances? In heaven's name, what kind of culture is that? I will tell you, Mr. President. It is the kind of culture one can find in Russia. It is the kind of culture Hitler went down the drain for trying to implement in Germany. Local rights and State rights and vested rights would be kicked out the window and flushed down the drain by a Secretary of Commerce armed with a pistol, given him by a State highway department. That is the kind of culture it would be.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield?

Mr. KERR. I yield to the Senator from Pennsylvania.

Mr. MARTIN of Pennsylvania. I should like to add to the Senator's very vivid description of the 1,320-foot strip of land in various places of our country, that in addition thereto there is the road itself, consisting of 330 feet, which would be taken from people in the various States of the Union.

Mr. KERR. The Senator is eminently correct; and often that would be done against the will of the people. They would be compelled to sell the property under the right of eminent domain. When the people go before a jury of their peers, seeking to get compensation for a right-of-way, how many times have we heard the attorneys of those seeking to obtain that property by eminent domain say, "Yes, we are taking this property away from this man and his family and children, but consider the fact that we are going to increase the value of the adjacent property. One of the intangible values this man is going to receive is the enhancement of value on that part of the property remaining to him."

That has been the argument ever since eminent domain has been in effect. In this instance it is sought, by contract between a highway commission and a Secretary of Commerce, to arm the Secretary with a pistol with which to nullify consideration in the mind of a jury, when it fixes compensation for a right-of-way, of the fact that the effort is to strip the



property owner of one of the rights, one of the assets, one of the elements of value remaining to him in that land which he owns adjacent to the particular right-of-way.

In the name of culture, Mr. President, in the name of esthetics—whatever that is [Laughter]—it will be a grave day in this country when we reach such an esthetic pinnacle that men are willing and able to ravish a State constitution, to nullify a local ordinance, and to deprive citizens of their vested rights, without compensation.

Mr. President, I say that if those in charge want the right-of-way, let them buy it. I say that if they want to exercise that police power, let them do it according to the constitution of the State, by a State legislature responsible to the people of the State. I say that if they want to prohibit something being done with a man's property, they should do it in accordance with law and order.

We stand for law and order. No organization in this Nation has a higher reputation for safeguarding the integrity of law and order than has the Senate. Then, in the name of all that is holy, how can we, in the name of esthetics and culture, seek to pass legislation the purpose of which is to wreck State sovereignty, to destroy the ability of a local community operating under the constitution of a State to pass zoning ordinances, and violate and hold for naught property rights of individuals?

This bill does not refer only to rural areas, Mr. President. Nearly 5,000 miles of the highway will go through cities, towns, and municipalities.

Calculate the value of 1,320 feet along 4,500 miles of highway, the rights-of-way through cities and towns. Look at the sign yonder; in size it is 500 square inches. That is what the bill provides can go within 660 feet of either side of an interstate highway, if the Secretary of Commerce says so.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. KERR. I yield to the Senator from New Hampshire.

Mr. COTTON. First, I should like to ask the Senator if it is not a fact that there is a provision in the pending bill—placed there, I believe, by an amendment offered in the committee by the Senator from New Hampshire—to aid the States in purchasing from the adjacent landowners, if they choose to sell, the advertising rights. Is that provision not in the bill?

Mr. KERR. Yes.

Mr. COTTON. I take it from what the Senator says—and I am inclined to think I agree with him—he believes that in most of the States of the Union under the State constitutions it would be impossible and unconstitutional to deprive adjacent landowners of their advertising rights by eminent domain or any process against their will. If that be true, that provision of the bill would be entirely inoperative, and 100 contracts between the Secretary of Commerce and the highway departments of States, or 1,000 contracts, would not enable them to get such advertising rights by eminent domain. Is that not correct?

Mr. KERR. Yes; the Senator is correct.

The Senator from Oklahoma then says, Why in heaven's name should we hold up for weeks, and perhaps months, an emergency highway bill, in order to try to include in it a section which is an utter futility? Why should we take the time of the Senate? Why should we delay the implementation of the emergency program in order to strive to satisfy the esthetic yearnings of some cultured soul who can find expression only in assaulting the sovereign right of States and the sacred rights of its citizens?

The Senator from New Hampshire said that he suggested an amendment which would help in the buying of such rights. I am going to read the language. It is a very important provision of the bill. It is a part of the colossal amount of evidence of the futility of section 12.

Mr. President, it is found on line 24 of page 23:

Whenever a State shall acquire by purchase or condemnation the right to advertise or regulate advertising in an area adjacent to the right-of-way of a project on the Interstate System for the purpose of implementing this section, the cost of such acquisition shall be considered as a part of the cost of construction of such project and Federal funds may be used to pay the Federal pro rata share of such cost: *Provided*, That reimbursement to the State shall be made only with respect to that portion of such cost which does not exceed 5 percent of the cost of the right-of-way for such project.

Let us imagine 4,500 miles of highway through municipalities. The State and Federal Governments are to spend on that portion, and on the rest of the highway, \$5½ billion to buy the rights-of-way.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. KERR. Mr. President, I yield myself an additional 5 minutes.

The Senator says the committee adopted a provision to help the States buy the advertising rights. There are rights-of-way 660 feet wide on either side of the highway.

Let us consider the highway through the city of Richmond, or Oklahoma City, or New York City. How much does the Senator think could be accomplished in an endeavor to buy the advertising rights for the 1,320 feet alongside the highway at 5 percent of the cost to buy the right-of-way?

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. KERR. I yield to the Senator from Nebraska.

Mr. HRUSKA. By a rough calculation, if we assume 5,000 miles of the Interstate Highway System in urban areas—it is in excess of 4,500 miles, and not quite 5,000 miles—and if we assume a cost of acquiring the rights-of-way of \$5 billion, that will mean there will be about \$50,000 a mile available for the purchase of the advertising rights. Is it the idea of the Senator from Oklahoma that such a sum would be ample for the purpose intended?

Mr. KERR. The Senator from New Hampshire, in his sober moments [laughter]—which are all of them, I

must say—in his moments of silent contemplation in his fine office, in that wonderful homespun, philosophical way of his, chuckles to himself and says, "Isn't that a gesture of generosity on the part of the Federal Government, to say, 'Now, if you buy this, we will pay 5 percent. We will pay a part of it, so long as it does not cost more than 5 percent of what it costs to buy the right-of-way.'"

Mr. COTTON. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. COTTON. In reference to the Senator's observation, let me make a comment. I hope the Senator will correct me if I am wrong in my understanding. It is my understanding that in the bill on page 22, lines 17, 18, 19, and 20, there is a provision whereby there can be no question as to purchasing the advertising rights adjacent to the Interstate System passing through the city of Richmond or any other large city.

Land adjacent to the highway in those cities or those municipalities is already exempt from the operation of the act, if the bill is passed. Am I incorrect in my understanding?

Mr. KERR. The Senator is certainly incorrect. The land is exempt from the provisions of the act only in the discretion of the Secretary of Commerce. Where is the city which wants to let its future rest upon that slender reed?

Oh, go home and tell the people in the cities—I do not intend to go home and make a fool of myself trying to tell the people of Oklahoma City—"Have no fear. The Secretary in his discretion may exempt you." The people have had experience in such matters. They have been waked up at night to find out that they have not been exempted by a Federal agency which could have done so within its discretion.

Mr. COTTON. Mr. President, will the Senator yield further?

Mr. KERR. I yield.

Mr. COTTON. In the first place, the words indicate the intent of the Congress. In the second place, any Secretary of Commerce who had any discretion at all would know it would be utterly impossible to purchase advertising rights on a highway passing through a huge city for any such sum as 5 percent of the cost. That would be entirely out of the question.

Mr. KERR. I would no more indulge the presumption that the present Secretary of Commerce has such knowledge than the Senator would indulge the presumption that his successor—who will be from our party—will have such knowledge.

Mr. COTTON. The Senator from Oklahoma has referred to the provision regarding reimbursement to the State to the extent of not exceeding 5 percent of the cost of the right-of-way as being a meaningless gesture. In the first place, it does not preclude the State, if the State is interested in controlling or limiting the advertising, from paying more, so long as it does not seek to collect the 90 percent from the Federal Government. Is not that correct?

Mr. KERR. That is correct; and that is one of the evils of the bill.



The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. KERR. Mr. President, I yield myself 5 more minutes.

We are declaring a policy—a policy to obtain the right to regulate all areas along the highways; and the States are to be seduced by the millions of dollars which will be offered to them to sign these contracts. They will start on the program, and they will then bog down, because they cannot buy such rights. When they try to use their police power, all hell will break loose. Then what will happen? They will say to the Federal Government, "You declared this policy. In your moment of devotion to esthetics and culture, you paid us this money and induced us to sign the contract. We are now in the middle of the stream, bogged down in the quicksand into which you enticed us. Now we want you to help pay for the cost of the program."

When the highway bill was passed in 1956, these were called defense highways. Now they are called parkways of scenic beauty, and esthetic marvels of culture. Under God, what will they be called 2 years from now if we seduce the States into signing these contracts, and they cannot buy the rights for the amounts we propose to give them?

They cannot exercise their police power, because the people will revolt and run them out of the State. Then they will come to the Federal Government.

My friend the Senator from Oregon [Mr. NEUBERGER] and others will say, "We got the States into this difficulty. It will cost \$5 billion, but we must honor our policy. We must honor this culture. We must dignify these aesthetics. It will cost us a little money, but honor compels us to follow that course." The words used are words of honor which would seek to create an agency of seduction armed with pieces of silver from the Secretary of Commerce.

Let me make one further point with regard to the 5-percent provision. I was a little surprised when the Senator from New Hampshire offered the 5-percent provision. Some bad things have been said here about 5 percenters. It is sought to make a 5 percenter out of the Secretary of Commerce, and to legalize the action. The language is as follows:

Whenever a State shall acquire by purchase or condemnation the right to advertise—

And so forth. Senators know that the States cannot condemn such a right. Senators know that in no State of the Union can such right be condemned; and every sponsor of the amendment knows that it cannot be condemned. It is a futile gesture, offered to induce me to legalize governmental seduction, to put a pistol in the hands of the Secretary of Commerce, to cut down and shatter States rights, local self-government, and the rights of citizens.

Mr. President, I yield the floor.

Mr. ROBERTSON and Mr. HUMPHREY rose.

The PRESIDING OFFICER. To whom does the Senator from Texas yield time?

Mr. JOHNSON of Texas. I agreed to yield 5 minutes on the bill to the Senator from Minnesota. Does the Senator from Virginia desire to speak?

Mr. ROBERTSON. I should like to take 1 minute.

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from Virginia [Mr. ROBERTSON].

I send to the desk to have printed and lie on the table 3 amendments, 2 of them dealing with the financing of the interstate roads. They would eliminate all the new money, and return the situation to the 1956 pay-as-you-go basis.

The third amendment would eliminate the new formula for the removal of utility facilities, and return the situation to the 1956 formula, namely, 90 and 10 percent.

The PRESIDING OFFICER. The amendments will be received, printed, and lie on the table.

Mr. ROBERTSON. Mr. President, I should like to ask the Senator from California [Mr. KUCHEL] and the Senator from Oregon [Mr. NEUBERGER], the sponsors of the language under discussion, one question, for purposes of establishing the legislative intent.

There are 4 subdivisions of section 12, which will become section 122 of the 1956 act. One of the subdivisions deals with a size limitation to 500 square inches.

Another deals with "signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public."

The specific information would relate to gas and oil, overnight lodging, food, and so forth.

There is some misunderstanding as to the language "not inconsistent with the national policy." As I read the language, and as I understand the intention of the framers, the States would have the right to prescribe signs which they considered adequate. If one is passing such a sign at 60 miles an hour it must be larger than 2 feet if one is to read it; and if it is located immediately adjacent to the turnoff, the driver will have only a few seconds to act. Under subparagraph (4) the State could authorize what it considered to be a suitable sign for the convenience of the traveling public, which is paying the bill for these roads.

I ask the framers of the provision as to the legislative intent. Which subparagraph would control? Would it be subparagraph (3), providing for a 2-foot sign placed within 12 miles of the point to which it applied, or could the States prescribe a sign which they considered adequate at the turnoff point?

Mr. KUCHEL. Mr. President, the able Senator from Oregon [Mr. NEUBERGER] responded in writing to the able Senator from Virginia. I think that response should be made a part of the RECORD.

Let me say, as a cosponsor of the amendment, that in my judgment the language "500 square inches" applies only to subparagraph (3), and does not

apply in any fashion to subparagraph (4), under which the States would have all reasonable control to make the decision.

Mr. NEUBERGER. Mr. President, I concur in what the Senator from California has said. We stated, in our separate views, that we felt that way.

The Senator from California has suggested that my letter to the able Senator from Virginia on this particular question be made a part of the RECORD. I ask unanimous consent that it be printed in the RECORD, at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 24, 1958.

Hon. A. WILLIS ROBERTSON,  
United States Senate,  
Washington, D. C.

DEAR SENATOR ROBERTSON: Thank you very much for your letter of March 21 concerning section 12 of S. 3414, the billboard control amendment to the highway act proposed by Senator THOMAS KUCHEL and me. I very much appreciate the interest in this amendment which has prompted you to write us, and I am more than pleased to answer the question which you have raised in your letter.

The specific point about which you ask is "whether or not a State could get the proposed incentive if it restricts all advertising in accordance with the bill except the size of the signs at the turnoff points."

The answer to your question is "yes."

Your inquiry is a good example of the unfortunate confusion which Senator KUCHEL and I felt was introduced in the bill by the amendment of the third class of permissible signs which was made in the committee. As you may recall from the text given in the separate views which we sent you, the original definitions of the third and fourth class of permissible signs were:

"(3) Signs advertising activities being conducted upon the property on which such signs are located."

"(4) Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public."

In this original draft, the purposes of the two provisions were different. The provision numbered (3) was intended to take account of the reasonable rights of landowners to advertise their own activities on their own land. The provision numbered (4) was—and still is—intended to permit the individual States—in the legislation which they must necessarily adopt to qualify for the benefits of this bill—to include specific authorizations and regulations covering signs of the type about which you ask; that is to say, signs advertising facilities and establishments of specific interest to travelers that might be located at the approaches to the exits, so as to inform motorists in advance about such facilities that may be reached from the exit in question. As you say, this provision does not include any limitation on the size of permissible signs. All that would be required is that the regulations of the State which authorize such signs reasonably comply with respect to the shape, design, lighting, frequency and locations of such signs, with the overall policy standards to be promulgated by the Secretary of Commerce.

We have no doubt that the State highway departments and the Bureau of Public Roads between them could easily work out reasonable standards for such signs which would offer an opportunity to off-highway establishments and facilities, such as motels,



hotels, resorts, etc., to let the approaching motorist know of their existence and location before he reaches the exit closest to them.

The manner in which we contemplate the application of this bill is the following: To take advantage of the benefits of section 12, a State would presumably have to have or adopt legislation that would control and regulate billboards along the interstate highways within its borders. (I know that your State government has already been active in developing a billboard control program, although I do not know the details of it so as to comment on its relationship to the proposed incentive plan.) Pursuant to such legislation, the State would then enter into an agreement with the Secretary of Commerce, which would spell out in some detail the segments of the interstate highways in the State to be covered by the national policy, on which the one-half percent bonus would be payable, and also the regulations and standards under which permissible signs of the four identified classes would be erected along the highways. If any State and the Secretary of Commerce failed to reach agreement, of course, the State is wholly free to remain outside of the proposed program.

But, to repeat the specific point about which you ask, a State could qualify for the proposed incentive payments if it made reasonable regulations with respect to the kinds of signs about which you ask, without being limited to the small size specified in the third class as amended. That class, you will note, is not limited to signs in the specific interest of the traveling public, but is rather tied to the notion of activities being conducted at a location within 12 miles of the point at which such signs are located.

We hope that this letter will answer your question to your satisfaction. You will find a complete analysis of section 12 in my speech in the RECORD of today's date, and in my discussion with Senator KUCHEL during this speech. I sincerely hope that you will find it possible to join us in retaining this worthwhile protective measure for our new highways in S. 3414.

With kind regards.

Sincerely,

RICHARD L. NEUBERGER,  
United States Senator.

Mr. KERR. Mr. President, I should like to answer the question of the Senator from Virginia.

Mr. JOHNSON of Texas. Will the Senator from Oklahoma yield himself some time?

Mr. KERR. I yield myself 2 minutes.

Subparagraph (4) reads as follows:

Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

Mr. ROBERTSON. But it has just been stated that that means that standards for the turnoff are different from the standard of the 24-inch sign.

Mr. KERR. Does the Senator take the word of the sponsors, or the language of the bill?

Mr. ROBERTSON. They are supposed to know what the language means.

Mr. KERR. The Senator is indulging a presumption which may lead him into a very bitter disappointment.

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes on the bill to the Senator from Minnesota [Mr. HUMPHREY].

Mr. HUMPHREY. Mr. President, my remarks in the 5 minutes allotted to me will not be directed toward particular sections and subsections of the bill. They will be directed toward the subject with which the bill is concerned, namely, the recession, and the efforts on the part of the Congress to take active and effective measures to curb and stop the economic decline.

I have listened to the arguments with attention and interest. The highway bill needs to be passed as an effective instrument in the move against the recession.

The first real test of the administration's willingness effectively to use the powers of Government to combat the recession now lies on the President's desk, after having been duly passed by both Houses of Congress.

It is the joint resolution passed by both the Senate and the House to prevent any reductions in farm prices supports this year, a resolution which I had the privilege of authorizing and sponsoring through the Congress.

If the President vetoes this measure, as has been threatened, it will be a serious blow to American agriculture, an open invitation to further undermining of rural purchasing power, and it will further shake and weaken the confidence we need in our entire economy.

If, on the other hand, the President accepts the judgment of Congress and signs the measure, his action will provide belated but effective and convincing evidence that the Government is determined to protect our economy from further economic deterioration, bolstering confidence of the public in our eventual full recovery from the present dangerous economic decline.

Mr. President, I have noted with satisfaction that even a majority of the President's own minority party in the Senate, in caucus, has voted to urge the President to sign the measure. I also noted that the distinguished Senator from Nebraska [Mr. HRUSKA], according to reports in the press, said that had he been present at the caucus he, too, would have urged this very sound and constructive action.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. JOHNSON of Texas. I should like to advise the Senator what has been called to my attention. I believe the Senator from Minnesota said that a majority of the Senators in the caucus so voted.

Mr. HUMPHREY. That is correct.

Mr. JOHNSON of Texas. Not a majority of the party in the Senate, because there were several absentees.

Mr. HUMPHREY. The Senator is correct. I said a majority of those in attendance at the caucus. I believed the vote was 18 to 14. It was 17 to 14, and if the distinguished Senator from Nebraska had been present, the vote would have been 18 to 14.

Mr. BUSH. Mr. President, will the Senator let me comment at this point?

Mr. HUMPHREY. In a moment I shall be glad to.

Mr. BUSH. I should be glad to yield myself a minute for that purpose.

Mr. HUMPHREY. Mr. President, the action of the Republican caucus is further evidence that Congress feels it imperative to prevent any further decline in rural purchasing power at a time when we are trying to mobilize all the forces of the Nation to combat a recession. I compliment those members of the President's party who took that forthright action. It was a heartening sign for the Nation, and an expression of confidence and encouragement to our farm population.

Mr. President, as the author of the joint resolution, I sent a night letter to the President of the United States, urging him to consider carefully the impact of his pending action on the country's economic conditions. I ask unanimous consent that the message I sent to the President urging him to sign the joint resolution be printed in the RECORD at this point.

There being no objection, the night letter was ordered to be printed in the RECORD, as follows:

THE PRESIDENT,

*The White House,*

*Washington, D. C.:*

Whatever differences may exist over agricultural policy, I sincerely urge you to carefully consider the impact on our entire economy of a veto on the legislation enacted by the Congress to prevent further cuts in farm prices this year. As author of the resolution now awaiting your signature, I assure you it was offered in good faith as a "hold-the-line" effort to protect the farm economy while we in Congress design improved long-range farm legislation.

Your approval of the resolution will do much to restore confidence in rural America. It will signify a determination to use the powers of Government to check the economic decline. On behalf of thousands of farm families in Minnesota—and millions throughout our country—I appeal to you to accept the decision of Congress that a temporary price freeze be invoked on all commodities, including dairy products.

HUBERT H. HUMPHREY,  
United States Senator.

Mr. HUMPHREY. Mr. President, I conclude by saying that this is the first effective antirecession measure to come to the President's desk. I feel that every Member of Congress wants to do something to curb the recession. This is not a partisan matter. It is a question of taking care of the interests of the American people. It is an effort to provide some kind of protection and assistance to the American economy.

For example, we have heard the Vice President on several occasions enunciating policies and programs which he believes would be helpful to the economy. In many of those instances I have agreed with the Vice President; in others, I have had some disagreement with him, particularly as to whether we should have a tax reduction. On that question his position has been a little indefinite. However, I wish to compliment the Vice President on his forthright leadership in such fields as foreign policy. While I disagree with him on the matter of interest rates for GI housing—he insisted that those interest rates should be higher than I thought was necessary—he at least proclaimed himself.



Mr. President, I ask that every man stand and be counted. I hope that the Vice President, who has been praised so frequently for his courage and his leadership and his frankness and I may say, for his persuasiveness in the councils of the administration—a persuasiveness which I am sure he possesses—will give us the benefit of his advice and counsel. I say this most respectfully. I hope that his advice and counsel will be to encourage the President's signature on the joint resolution.

However, whatever his advice may be, I believe the American people want to know where the leaders of America stand on this first effective antirecession measure.

I notice that the majority leader, over the weekend, as reported in the Monday morning newspapers, said that he felt the President should sign the joint resolution. Why? Because it is an antirecession measure.

Let me add one further thought: The joint resolution does not provide for higher prices than are in existence at the present time. It is not a special tax concession. It is not a profit-sharing measure. It does not increase someone's profits. At best it is a hold-the-line measure. The least we can expect at this time is a frank statement from those who are our responsible leaders in the Government, in the Senate as well as in the other body, so that the President of the United States may have the benefit of counsel and advice from all sources.

Therefore I appeal to the Vice President of the United States—as he has done in the instance of foreign aid, as he has done in the instance of the summit conferences, as he has done in the instance of the tax policy, and as he has done in the instance of the housing measure, including the interest rates—to say to the President of the United States, in the councils of the White House and the Cabinet, that it would be to the national interest for him to sign the joint resolution. At least I ask the Vice President to give us his views.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

The Chair wishes to address an inquiry to the majority leader, concerning the time taken during the colloquy by the junior Senator from Virginia. Does the Chair correctly understand that that time was yielded by the junior Senator from California?

Mr. KUCHEL. I think it should have been.

The PRESIDING OFFICER. It is so recorded.

Mr. JOHNSON of Texas. I appreciate the generosity of the Senator from California.

The PRESIDING OFFICER. Does the Senator from California yield time?

Mr. KUCHEL. Mr. President, I yield 1 minute to the Senator from South Dakota.

Mr. CASE of South Dakota. I wonder if the members of the committee who are on the floor would have any objection to considering taking up by unanimous consent the perfecting amendment which I proposed yesterday to the

billboard section, to provide that any segment excluded from the application of the standards under the discretionary clause of the Secretary of Commerce, applicable to municipalities or areas under their control, should not be considered in computing the increase in the Federal share payable on account thereof. Is there any controversy or difference of opinion with respect to that amendment?

Mr. HRUSKA. I think it would require some explanation or a little foundation. This is not exactly the right time to consider the amendment. I think it is illustrative of many other clarifying amendments which should be placed in section 12, if that section is to make any sense and is to be legal or constitutional at all. I think this is not the proper time to consider the amendment.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. CASE of South Dakota. May I have another minute?

Mr. KUCHEL. I yield another minute.

Mr. CASE of South Dakota. The matter came up yesterday when the Senator from Ohio [Mr. LAUSCHEL] pointed out that a considerable portion of the Interstate Highway System in his State would go through municipally regulated areas. The question was debated at that time, and I thought there was an agreement that the amendment was not intended to exclude the provision making one-half of 1 percent applicable to any areas.

It is a preferential or perfecting amendment, which would be entitled to consideration before the amendment to strike. I thought that if there could be an agreement on my amendment, we might save the hour's time to which the amendment would be entitled under the unanimous consent agreement. However, I shall not press the matter now, but shall confer with the Senator from Nebraska and other Senators to see if some agreement can be reached.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KUCHEL. If a vote is taken on the amendment offered by the Senator from Oklahoma [Mr. KERR] and other Senators, and the amendment is rejected, would it then be in order to offer an amendment such as that to which the Senator from South Dakota has just alluded?

The PRESIDING OFFICER. The amendment of the Senator from Oklahoma to strike out section 12 is a separate amendment. However, the language that is proposed to be stricken out is subject to amendment, and an amendment to it will take precedence over the amendment to strike out.

Mr. KUCHEL. So the amendment of the Senator from South Dakota, were he so minded, could be offered now or at any other time?

Mr. CASE of South Dakota. If the other amendment were rejected.

The PRESIDING OFFICER. Except by unanimous consent, the amendment

suggested by the Senator from South Dakota would have to wait until the time on the Kerr amendment has been consumed, or until time was yielded.

Mr. CASE of South Dakota. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. It could be offered before the vote on the Kerr amendment.

Mr. CASE of South Dakota. Yes; at any time before the vote.

The PRESIDING OFFICER. That is correct.

Mr. CASE of South Dakota. The Senator from California had inquired whether, if the amendment offered by the Senator from Oklahoma were defeated, my amendment could then be offered. Of course, I assume it could be offered as an amendment to the bill, but I shall certainly insist upon the right to have it considered ahead of the amendment to strike section 12.

Mr. KUCHEL. Mr. President, I yield 5 minutes to the Senator from Oregon.

Mr. NEUBERGER. Mr. President, I shall address myself to the charge or claim that the proposal to regulate signboards on the Interstate Highway System will cause unemployment in the United States. To begin with, the Interstate System of 41,000 miles is only about 3 percent of the surfaced roads in the Nation, which total about 1,500,000 miles.

Second, these will be predominantly new roads. How can unemployment be caused by forbidding, regulating, or controlling signboards on roads which, mainly, have not yet been constructed?

There is the further argument that the controlling of signboards will cause unemployment in the restaurant and motel industries along the new roads. That is not consistent with the expert testimony which was received by the Subcommittee on Roads and Highways, presided over by the able Senator from Tennessee [Mr. GORE]. Signboards are not allowed on the great New York State Thruway. The Federal Highway Administrator is Hon. Bertram D. Tallamy, who had charge of the construction of the New York State Thruway. I read from Mr. Tallamy's testimony given before our subcommittee in the spring of 1957:

Senator NEUBERGER. This is the question that I want to ask, after obtaining that information. As you probably know, a great deal of the testimony given to this committee in opposition both to the administration billboard control bill, and my particular billboard control bill, was the claim that roadside business would suffer, whether they were motels, hotels, restaurants, coffee shops, and so on. By roadside, I mean those accessible to the interstate highway.

Have you in your experience in the State of New York had complaints from commercial establishments and facilities near the New York Thruway that their business and income have suffered as a result of the restriction of advertising on the thruway?

Mr. TALLAMY. Not as a result of the lack of advertising on the thruway. I have had complaints from some that they have lost business because of the fact that traffic was taken to the thruway from the existing highway. But I have had a great many more state that their increase in business has been very great because of the thruway.



A little later I said:

Senator NEUBERGER. Thank you very much, Mr. Tallamy.

I want to again repeat one question because there was a little confusion at the start, and I think your answer to this is certainly one of the most important pieces of information that the subcommittee could have.

Again let me ask: You have had no complaints that business has been lost as a result of advertising restrictions along the throughway?

Mr. TALLAMY. I have not.

Senators have risen in the Senate to make random, indiscriminate, and arbitrary charges that the regulation of billboards will cause roadside establishments to lose business, and therefore will cause unemployment in those establishments. Yet Mr. Tallamy, who administered the construction of the great road in the most populous State of the Union, testified before our committee that he had received no such complaints from roadside businesses along the New York State Thruway, or that the businesses had lost clients or trade because of the restrictions on signboards.

The charge was made that section 12 was "Russia" or "Hitler." I regretted hearing that charge made about a very mild amendment—perhaps too mild an amendment. It is very peculiar to me, a relatively new Member of the Senate, that it is complete democracy for the Federal Government to tell a farmer how much corn or cotton he can plant, but that it is "Russia" or "Hitler" to have a State highway department or a State government to work out a mutual agreement to restrict or limit or forbid signs on land along public highways of the Nation.

Concerning the matter of indiscriminate sizes of signboards on the Interstate Highway System, I read one paragraph from the magazine *Printer's Ink* of February 22, 1957. This is the magazine of the advertising industry:

What are the unique features of outdoor advertising as defined for purposes of the Starch survey? The first characteristic is its massive size. Outdoor advertising is the largest medium in physical dimensions. In addition, outdoor posters are read and seen in a different way from other major mediums. Radio, TV, magazines, and newspapers all go to the people, but people go to the poster board. Therefore, a poster may be seen several times in the course of a 30-day display period, whereas ads in most other mediums get only one viewing. Finally, there is a timeless quality about outdoor advertising. People spend time reading a newspaper or magazine, or in watching TV and listening to the radio, but outdoor posters register their messages while people are going about other business.

Together with the distinguished junior Senator from California and the able Senator from Tennessee, the chairman of the subcommittee, I do not want to deliver over the motorists on 41,000 miles of highways as a totally captive audience for that kind of business.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. CHAVEZ. Mr. President, will the Senator from California yield 3 minutes more to the Senator from Oregon?

Mr. KUCHEL. I yield 3 more minutes to the Senator from Oregon.

Mr. CHAVEZ. Mr. President, no one disagrees with the philosophy of the Senator from Oregon, the Senator from Tennessee, or the Senator from California. But as chairman of the Committee on Public Works, I am so deeply interested in the passage of the road bill that I would hesitate to have it placed in jeopardy by including in it something which does not belong in it. I should like to have a road bill passed during this session of Congress, the sooner the better. However, the information I have received in good faith, is that we will not have a road bill if it is proposed to include something else which should be considered separate and apart and on its merits.

Let me say that I agree in many instances with the ideas of the Senator from Oregon with reference to billboards. But section 12 does not belong in this road bill. If we wish to put people to work, I beg my good friend not to tie section 12 to this bill, or else a road bill will not be passed.

Mr. NEUBERGER. Mr. President, in reply to our very good friend, the chairman of the Senate Committee on Public Works, I should like to say that I know how sincere and conscientious he is in the argument he has voiced to us today.

I wish to say to him very earnestly that, in my opinion, when the Federal Government specifies all the standards regarding these roads—when it specifies what the width shall be, what the curvature shall be, what the maximum grade shall be, what the strength of bridges and culverts shall be—and when the Federal Government is paying 90 percent of the cost, I believe it is pertinent and germane to such a road bill that the Federal Government express in the bill some very mild concern for the roadside scenery and grandeur.

In conclusion, let me say that if the addition of a mild signboard-regulation provision will impel some persons to take action to hold up the entire road bill, that responsibility will be theirs, not that of those of us who believe that good highways should also permit those who travel on them to have some clear views of the glories of the American countryside.

The PRESIDING OFFICER (Mr. CHURCH in the chair). The time yielded to the Senator from Oregon has expired.

Mr. CHAVEZ. Mr. President, will the Senator from California yield 1 more minute, in order that I may make a further statement?

Mr. KUCHEL. Mr. President, I yield 1 additional minute to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 additional minute.

Mr. CHAVEZ. Mr. President, will the Senator from Oregon yield again to me?

Mr. NEUBERGER. I yield.

Mr. CHAVEZ. Mr. President, there is no question about what the Senator from Oregon has in mind, and personally I respect him for his views.

But, regardless of whether he dreams or whether I dream, the fact remains that the essential purpose of the road bill is to put people to work. That was one of the reasons why the Senate passed the 1956 highway bill.

What is the reason for this road bill? It is to accelerate the 1956 program, for the purpose of putting people to work.

If section 12 is included in the bill, section 12 will put out of work painters, carpenters, metalworkers, and persons in many other groups. Yet my good friend, the Senator from Oregon, also wishes to put people to work.

The PRESIDING OFFICER. The additional time yielded to the Senator from Oregon has expired.

Mr. CHAVEZ. Mr. President, will the Senator from California yield 1 minute to me?

Mr. KUCHEL. Mr. President, I yield 1 minute to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 1 minute.

Mr. CHAVEZ. Mr. President, thus we see that the philosophy of section 12 is entirely contrary to the philosophy of the first part of the bill, which is to put people to work. The purpose of section 12 is entirely contrary to that.

Mr. NEUBERGER. Mr. President, will the Senator from California yield 1 additional minute to me, in order that I may, reply very briefly to the last statement made by the Senator from New Mexico?

Mr. KUCHEL. I yield 1 additional minute to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 additional minute.

Mr. NEUBERGER. I thank the Senator from California.

Mr. President, previously, when I rose to make a 5-minute presentation, I said I did not see how any joblessness could be caused in connection with roads which are yet to be built. In other words, if the roads are to be built so that people can have jobs—jobs building roads, not plastering them with signs—then I have a correct conception of the bill. I regard the purpose of the bill was to put people to work building roads, not putting up signs along the roads.

I am fully in favor of a bill which will put people to work building roads, and our measure will surely do that. I admit that the bill will not put people to work plastering signs along the roads. But that is not the purpose of the bill.

Mr. CHAVEZ. I agree that the purpose is to put people to work on roads. But, by the same token, inasmuch as more than five million of the American people are now out of work, are we, in connection with this bill, going to do something which will put people out of work in almost every other line of endeavor?

The PRESIDING OFFICER. The time yielded to the Senator from Oregon has once more expired.

Mr. NEUBERGER. Mr. President, will the Senator from California yield 1 additional minute to me, in order that I



may answer the Senator from New Mexico?

Mr. KUCHEL. Mr. President, I yield 1 additional minute to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 more minute.

Mr. NEUBERGER. Mr. President, I simply do not understand why the inclusion of the billboard-regulation provision, as sponsored by the Senator from California [Mr. KUCHEL] and myself, would delay the taking of action on this road bill.

Mr. CHAVEZ. It should not delay action on the bill, insofar as the bill itself is concerned. But we are talking about the overall unemployment situation; and there is no question that the inclusion of section 12 will result in unemployment. There is no question whatever of that.

I am not thinking only of roads; I am also thinking of the unemployment situation as a whole.

The PRESIDING OFFICER. The time yielded to the Senator from Oregon has again expired.

Mr. CHAVEZ subsequently said: Mr. President, I ask unanimous consent that at the conclusion of my previous remarks there be printed in the RECORD a total of 62 telegrams and letters I have received opposing the billboard control section, section 12 of the bill.

There being no objection, the telegrams and letters were ordered to be printed in the RECORD, as follows:

LAS CRUCES, N. MEX., March 22, 1958.  
Hon. DENNIS CHAVEZ,  
United States Senate,  
Washington, D. C.:

I urge you drop section 122 of the Gore bill.

DESERT AIR MOTEL,  
EBER MCKINLEY.

ALAMOGORDO, N. MEX.

RATON, N. MEX., March 24, 1958.  
Hon. DENNIS CHAVEZ,  
United States Senate,  
Washington, D. C.:

The Raton Chamber of Commerce would like to commend you for your opposing vote in the committee action of section 122 of the Senate bill 3414. We hope that you will continue to oppose this bill.

RATON CHAMBER OF COMMERCE.

RATON, N. MEX., March 25, 1958.  
Hon. DENNIS CHAVEZ,  
United States Senate,  
Washington, D. C.:

Hope you will continue to work to eliminate section 122 of Gore bill which opposes outdoor advertising. I strongly believe it is impractical and un-American. Suggest the entire bill be checked for other such ill-considered provisions.

NIXONS SPECIALIZED SERVICE,  
WILLIAM G. DOTY.

RATON, N. MEX., March 25, 1958.  
Hon. DENNIS CHAVEZ,  
United States Senate,  
Washington, D. C.:

Hope you will continue to oppose section 122 of Senate bill 3414, and work toward its defeat. This legislation against outdoor advertising along highways would soon mean the end of our business, having 15 employees, which has thrived in this territory for over 30 years. It is further infringement of rights of property owners. It is favored by only a minority group and is contrary to the

best interests of all business. It would further handicap communities about to be bypassed, many of which expect to cushion the blow by use of roadside advertising.

RATON SIGN CO.,  
DON F. PARTRIDGE.

ALBUQUERQUE, N. MEX., March 22, 1958.  
Senator DENNIS CHAVEZ,  
Senate Office Building,  
Washington, D. C.:

Your opposition to the amendment controlling areas adjacent to the Interstate System is appreciated. I believe that the practice of paying the State to cripple any industry is basically unsound. We need better highways, but the expense of acquiring an aesthetic view will certainly delay completion. We hope that Senate bill 3414 will pass without section 122.

HARRY FORBES.

ALBUQUERQUE, N. MEX., March 22, 1958.  
Senator DENNIS CHAVEZ,  
Washington, D. C.:

Your opposition to the amendment controlling areas adjacent to the Interstate System is appreciated. I believe that the practice of paying the State to cripple any industry is basically unsound. We need better highways, but the expense of acquiring an aesthetic view will certainly delay completion. We hope that Senate bill 3414 will pass without section 122.

D. E. GIBSON III.

ALBUQUERQUE, N. MEX., March 22, 1958.  
Senator DENNIS CHAVEZ,  
Senate Office Building,  
Washington, D. C.:

We appreciate your opposition to section 122 of Senate bill 3414 and respectfully ask your continued support before the Senate. We do not oppose the purpose of S. 3414 excepting the amendment which provides for a bonus to be paid to the State to cripple our business. We believe that New Mexico is capable of effecting adequate legislation on this matter.

THE LLEWELLYN CO.,  
BRUCE A. GERRY.

RATON, N. MEX., March 22, 1958.  
Hon. DENNIS CHAVEZ,  
United States Senate,  
Washington, D. C.:

I congratulate you upon the stand you took concerning section 122, Senate bill 3414 recently reported favorably by Senate Public Works Committee. I feel strongly that this is crackpot legislation and I hope you will continue to oppose the same actively in the Senate.

HERBERT B. GERHART.

ALBUQUERQUE, N. MEX., March 22, 1958.  
Senator DENNIS CHAVEZ,  
Senate Office Building,  
Washington, D. C.:

Your opposition to the amendment controlling areas adjacent to the Interstate System is appreciated. I believe that the practice of paying the State to cripple any industry is basically unsound. We need better highways, but the expense of acquiring an esthetic view will certainly delay completion. We hope that Senate bill 3414 will pass without section 122.

ROY B. RAYMER.

ALBUQUERQUE, N. MEX., March 22, 1958.  
Senator DENNIS CHAVEZ,  
Senate Office Building,  
Washington, D. C.:

Your opposition to the amendment controlling areas adjacent to the Interstate System is appreciated. I believe that the practice of paying the State to cripple any industry is basically unsound. We need better highways, but the expense of acquiring an esthetic view will certainly delay comple-

tion. We hope that Senate bill 3414 will pass without section 122.

HARVEY ATKINS.

LAS CRUCES, N. MEX., March 23, 1958.  
Hon. DENNIS CHAVEZ,  
United States Senate:

I request you vote section 122 out of the Gore bill.

BROADWAY COURT,  
ROSE BUTLER.

LAS CRUCES, N. MEX., March 23, 1958.  
Hon. DENNIS CHAVEZ,  
United States Senate:

We urge you vote section 122 out of the Gore bill.

CACTUS MOTOR LODGE,  
NORM WEGNER.

TUCUMCARI.

LAS CRUCES, N. MEX., March 23, 1958.  
Hon. DENNIS CHAVEZ,  
United States Senate:

Will you please vote section 122 out of the Gore bill.

EL DON MOTEL,  
DAN W. EITZEN.

ALBUQUERQUE.

LAS CRUCES, N. MEX., March 23, 1958.  
Hon. DENNIS CHAVEZ,  
United States Senate:

I urge you vote section 122 out of the Gore bill.

WESTERN MOTEL,  
RUDOLPH BABINS.

SANTA ROSA, N. MEX.

LAS CRUCES, N. MEX., March 23, 1958.  
Hon. DENNIS CHAVEZ,  
United States Senate:

We urge you drop section 122 from the Gore bill.

THUNDERBIRD LODGE.

GALLUP, N. MEX.

LAS CRUCES, N. MEX., March 23, 1958.  
Hon. DENNIS CHAVEZ,  
United States Senate:

I urge you vote section 122 out of the Gore bill.

MOTEL STEVENS,  
SLICK CHILDRESS.

CARLSBAD.

LAS CRUCES, N. MEX., March 23, 1958.  
Hon. DENNIS CHAVEZ,  
United States Senate:

I urge you vote down section 122 of the Gore bill.

TAOS MOTOR LODGE,  
JACK DENVER.

LAS CRUCES, N. MEX., March 23, 1958.  
Hon. DENNIS CHAVEZ,  
United States Senate:  
We urge you drop section 122 from the Gore bill.

PIONEER LODGE,  
MARK SELLERS.

CLOVIS N. MEX.

LAS CRUCES, N. MEX., March 22, 1958.  
Hon. DENNIS CHAVEZ,  
United States Senate,  
Washington, D. C.:

I urge you vote section 122 out of the Gore bill.

DE ANZA MOTOR LODGE,  
JACK DILLON.

ALBUQUERQUE.

LAS CRUCES, N. MEX., March 22, 1958.  
Hon. DENNIS CHAVEZ,  
United States Senate,  
Washington, D. C.:

We urge section 122 be dropped from the Gore bill.

SEQUOYAH MOTEL,  
S. H. KNOTT.



LAS CRUCES, N. MEX., March 22, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 We urge section 122 be dropped from the Gore bill.

PARADISE MOTEL,  
 NORMAN NELSON.

LAS CRUCES, N. MEX., March 22, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 We urge you drop section 122 from the Gore bill.

BEL AIR MOTEL,  
 ROY BUEBUSH.

DEMING, N. MEX.

LAS CRUCES, N. MEX., March 22, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 We urge you vote section 122 out of the Gore bill.

MISSION MOTEL,  
 ERNIE BRUCE.

LAS CRUCES, N. MEX., March 22, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 We urge section 122 be dropped from the Gore bill.

CORONADO COURT,  
 WM. ANGIER.

SANTA FE.

ROSWELL, N. MEX., March 21, 1958.  
 Senator DENNIS CHAVEZ,  
*Senate Office Building,*  
*Washington, D. C.:*  
 Am opposed to section 122, Senate bill 3414, States should control this phase. This will severely hurt all sign manufacturers and cause more unemployment.

TESCO NEON SIGNS, INC.,  
 R. L. TESSIER, Jr., Vice President.

ROSWELL, N. MEX., March 21, 1958.  
 Senator DENNIS CHAVEZ,  
*Senate Office Building,*  
*Washington, D. C.:*  
 Section 122, Senate bill 3414 not business of Federal Government. Establishment such regulations belongs to individual States.

BERT BALLARD.

ROSWELL, N. MEX., March 21, 1958.  
 Senator DENNIS CHAVEZ,  
*Senate Office Building,*  
*Washington, D. C.:*  
 We oppose section 122, Senate bill 3414, it restricts private enterprise and will contribute to further depressed economy.

Bill Suggs, Dan Chapluis, Al Moran, Al Williams, Ed Taylor, Everett Powell, Bill Morrison, Fred Covert, Frances Jones.

ROSWELL, N. MEX., March 21, 1958.  
 Senator DENNIS CHAVEZ,  
*Senate Office Building,*  
*Washington, D. C.:*  
 Section 122, Senate bill 3414, bad for national economy, unemployment will result if passed. Please vote no.

FRANK YOUNG, Jr.

CLOVIS, N. MEX.,  
 March 23, 1958,  
 Senator DENNIS CHAVEZ,  
*Senate Office Building,*  
*Washington, D. C.:*

The motels, restaurants, service stations, all roadside business in New Mexico ask you and subcommittee honestly consider Senate bill 3414 effect on established business, New Mexico, western stations. When interstate

right-of-way moved, impossible travelers find established business. Signs of 500 square inches, section 122, inadequate. Please change your 1957 stand on Neuberger bill. Thousands in New Mexico and Western States isolated. For New Mexico industry.

PIONEER LODGE,  
 MARK SELLARS.

LAS CRUCES, N. MEX.,  
 March 23, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 I urge you to vote section 122 out of the Gore bill.

BEL AIR MOTEL,  
 W. J. HEATH.

LAS CRUCES, N. MEX.,  
 March 23, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 I urge you to vote section 122 out of the Gore bill.

ROYAL MOTEL,  
 CLARENCE MAUS.

ROSWELL.

LAS CRUCES, N. MEX.,  
 March 23, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 I urge you drop section 122 from Gore bill.

GRANDE COURT,  
 SAM MARSH.

TUCUMCARI.

LAS CRUCES, N. MEX.,  
 March 23, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 I urge you to drop section 122 from the Gore bill.

DOROTHY CROTHY,  
 DESERT AIRE MOTEL.

LAS CRUCES, N. MEX.,  
 March 23, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 We urge section 122 be dropped from the Gore bill.

PARK MOTEL,  
 LORETTA ANDERSON.

CARLSBAD.

LAS CRUCES, N. MEX., March 23, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 We urge section 122 be dropped from the Gore bill.

AKE COURT,  
 ROSCOE AKE.

SOCORRO, N. MEX.

LAS CRUCES, N. MEX., March 22, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 I hope you see fit to strike section 122 from the Gore bill.

VILLA MOTEL,  
 MERLE EAGAR.

LAS CRUCES, N. MEX., March 22, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 We request you vote section 122 out of the Gore bill.

DEL PRADO MOTEL,  
 GEORGE DUSHANKE.

LAS CRUCES, N. MEX., March 22, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 We request you vote section 122 out of the Gore bill.

EL REY MOTEL,  
 L. C. MATHEWS.

SANTA FE, N. MEX.

LAS CRUCES, N. MEX., March 23, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 We urge you to drop section 122 from the Gore bill.

TOWER MOTEL,  
 IRA SMITH.

SANTA ROSA.

LAS CRUCES, N. MEX., March 23, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 I urge that you vote to drop section 122 of Gore bill.

SANDS MOTEL.

LAS CRUCES, N. MEX., March 23, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 I urge you to vote down section 122 of the Gore bill.

EL TAOSENA,  
 TERRY MONYHAN.

TAOS.

LAS CRUCES, N. MEX., March 23, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 I urge you to vote section 122 out of the Gore bill.

EL RIO MOTEL,  
 C. M. REES.

SOCORRO.

LAS CRUCES, N. MEX., March 23, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 We hope you will vote section 122 out of the Gore bill.

ROYAL MANOR MOTEL,  
 A. C. BINDEL.

CARLSBAD.

LAS CRUCES, N. MEX., March 22, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 At a special, well represented motel meeting here today, we were unanimous in the belief section 122 should be dropped from the Gore bill.

C. E. NEFF,  
 President, Motor Hotel Association of  
 New Mexico.

ROSWELL, N. MEX., March 22, 1958.  
 Senator DENNIS CHAVEZ,  
*Senate Office Building,*  
*Washington, D. C.:*  
 Section 122, Senate bill 3414, usurps States rights and will do great harm to private enterprise and further economic recession. Fifty persons would be directly affected in Roswell.

ERNEST C. TUCKER,

LAS CRUCES, N. MEX., March 24, 1958.  
 Hon. DENNIS CHAVEZ,  
*United States Senate,*  
*Washington, D. C.:*  
 We of the New Mexico Restaurant Association hope that you see fit to vote out section 122 of the Gore bill; we feel highway advertising is vital to our business and it's the



American way to advertise the way we please; many people will be jobless if this section 122 goes through.

Sincerely,

CHARLES NEFF, JR.,  
President of New Mexico Restaurant Association.

LAS CRUCES, N. MEX., March 22, 1958.

HON. DENNIS CHAVEZ,  
United States Senate,  
Washington, D. C.:

Section 122 of the Gore bill will hurt us terribly. Please vote it down.

CASA LINDA MOTEL,  
JIM WITHERS.

GALLUP, N. MEX.

GALLUP, N. MEX., March 19, 1958.

Senator DENNIS CHAVEZ,  
United States Senate,  
Washington, D. C.:

The Allied Motor Courts Association, with members operating in seven States, want you to know that we protest the passage of billboard bills S. 3414 and 3218 as an invasion of private property and detrimental to the future welfare of the motel industry.

J. H. WITHERS,  
Secretary-Treasurer.

GALLUP, N. MEX., March 19, 1958.

Senator DENNIS CHAVEZ,  
United States Senate,  
Washington, D. C.:

The 66 Tourist Service Association, consisting of Gallup businessmen engaged in the motel, restaurant, curio, and service station business protest the passage of billboard bills S. 3414 and 3218 as an invasion of private property and detrimental to the future welfare of our business.

J. H. WITHERS,  
President.

ALBUQUERQUE, N. MEX., March 20, 1958.

Senator DENNIS CHAVEZ,  
Senate Office Building,  
Washington, D. C.:

We request your careful consideration on Senate bill 3414 especially section 122 having to do with advertising within 660 feet of edge of rights-of-way. There are over 1,200 motels in New Mexico, many of these small operators will be seriously affected if they are deprived of contact with motorists on Interstate System.

GEORGE MILLER,  
President, Albuquerque Motor Court Association.

ALBUQUERQUE, N. MEX., March 22, 1958.

Senator DENNIS CHAVEZ,  
Senate Office Building,  
Washington, D. C.:

Your opposition to the amendment controlling areas adjacent to the Interstate System is appreciated. I believe that the practice of paying the State to cripple any industry is basically unsound. We need better highways, but the expense of acquiring an esthetic view will certainly delay completion. We hope that Senate bill 3414 will pass without section 122.

AL J. CHAVES.

ALBUQUERQUE, N. MEX., March 22, 1958.

Senator DENNIS CHAVEZ,  
Senate Office Building,  
Washington, D. C.:

Your opposition to the amendment controlling areas adjacent to the Interstate System is appreciated. I believe that the practice of paying the State to cripple any industry is basically unsound. We need better highways, but the expense of acquiring an esthetic view will certainly delay completion. We hope that Senate bill 3414 will pass without section 122.

E. G. WELLS.

ALBUQUERQUE, N. MEX., March 20, 1958.

Senator DENNIS CHAVEZ,  
Senate Office Building,  
Washington, D. C.:

Monday, March 24, Senate will consider Senate bill 3414. Section 122 prohibits advertising within 660 feet of edge of rights-of-way of Interstate Highway System. Exemptions wholly inadequate. Exemptions permit roadside business signs within 12 miles of location but cannot be over 500 square inches—repeat, 500 square inches. Urgently request your cooperation in defeating section 122 of this bill and leave matter to State controls.

LLOYD P. BLOODWORTH,  
Manager, New Mexico Restaurant Association, New Mexico Motor Hotel Association.

GALLUP, N. MEX., March 20, 1958.

Senator DENNIS CHAVEZ,  
United States Senate,  
Washington, D. C.:

The Gallup Motel Association want you to know that we protest the passage of billboard bills S. 3414 and S. 3218 as invasion of private property and detrimental to the future welfare of the motel industry.

DINO GONZERLA, President.

ROSWELL, N. MEX., March 18, 1958.

Senator DENNIS CHAVEZ,  
Senate Office Building,  
Washington, D. C.:

Naturally we favor S. 3414, and naturally we believe section 122 is definitely unfair to not only the outdoor advertising industry but also merchants of New Mexico. The tourist trade in this State is a great business potential and outdoor advertising is one of the best mediums to secure this business. Please do whatever is possible to delete section 122 and thereby leave State control of outdoors to the individual States.

W. B. ZACHARIAS,  
Pecos Valley Outdoor Advertising Co.

ALBUQUERQUE, N. MEX., March 18, 1958.

HON. DENNIS CHAVEZ,  
Senate Office Building,  
Washington, D. C.:

Reference is made to the proposed Senate bill which would eliminate billboard advertising on interstate highways. Your valued support in killing this vicious legislation is respectfully requested. Costs for buying antibillboard easements would be prohibitive. We as owners of an outdoor advertising company, our employees, suppliers of equipment and materials, insurers, the property owners who receive rental for their ground, and the advertisers, do not want this restrictive legislation passed. Those opposing outdoor advertising are truly in the minority. We have an adequate safety law in New Mexico regarding billboard placement. No hazard exists. To satisfy the esthetic objection of some, millions of dollars of investment will be destroyed, and thousands of people deprived of income and thrown out of work. Can we afford this to gratify the desires of a minority and Scripps-Howard? Please refer to our correspondence of February 1957 for further information. We know we can count on your continued vigorous support and effort to kill this legislation, and assure you it will be greatly appreciated.

DALTON CARTER,  
New Mexico Sign & Advertising Co.

COVIS, N. MEX., March 15, 1958.

Senator DENNIS CHAVEZ,  
Senate Office Building,  
Washington, D. C.:

We again ask that you oppose the outdoor section of the Gore bill S. 3214 which was passed by the committee. The highway sec-

tion bill is just fine but the amendment attached to is no good. I expect your help.

RALPH R. JOHNSON,  
Hardward Bros. New-Tex Outdoor Advertising Co.

DENVER, COLO., March 23, 1958.

Senator DENNIS CHAVEZ, of New Mexico,  
Senate Office Building,  
Washington, D. C.:

Re: Senate bill 3414.

Please strike section 122 from this bill. Let individual States handle roadside advertising. 3414 proposes to stimulate business and create jobs but section 122 would put many individuals and companies out of jobs.

GLENN D. HOPKINS,  
Director, American Motor Hotel Association, Representing New Mexico.

CHICO, CALIF., March 22, 1958.

HON. DENNIS CHAVEZ,  
United States Senator,  
Senate Office Building,  
Washington, D. C.:

Section 122 of Senate bill 3414 not bill to beautify highway system. Makes no attempt to regulate junkyards, used car lots, slaughtering houses, gasoline stations, garbage dumps, grease rendering plants, open-pit mining, meat processing plants, saw mills, lumber yards. Ban billboards and permit above classifications by deliberately omitting from bill prima facie evidence sponsors not so much interested in beautifying highways as attempting to discredit and smear major advertising medium by trying to make billboards nasty word despite fact legal legitimate business. Major advertising medium making substantial contribution to Nation's economy. If 122 becomes law Senate will in effect say to people Congress has no faith in integrity or competence of elected city, county officials to use own police powers in making, enforcing comprehensive zoning laws. Reflection which Senate knows not fact. Is it intent of sponsors to pass to States matter regulating all commercial activities omitted from bill? If true, why not pass to States matter of zoning billboards, too. How can they say in good conscience city-county officials competent to zone garbage dumps but incompetent to zone billboards?

BUTTE COUNTY MOTEL ASSOCIATION.

WHITE CITY, INC.,

White City, N. Mex., March 18, 1958.

The Honorable DENNIS CHAVEZ,  
Senator from New Mexico,  
Washington, D. C.

DEAR SENATOR CHAVEZ: Thank you for your favorable vote on committee action of section 122 of Senate bill 3414. This section, as you remember, deals with increased Federal appropriation to the State highway programs that include regulation and restriction of road and highway signs.

As the most recent report from the State Tourist Bureau reveals, the tourist industry is the second largest industry in the State of New Mexico. It can easily become the first with proper publicity and appeal to the Nation's traveling public. Elimination of highway signs would virtually eliminate all tourist industries. Other fields such as entertainment and automobile services would be greatly affected. Highway signs promote off highway travel in New Mexico, induce travelers to take advantage of food, lodging, and car service available in New Mexico, and inform travelers of sights and events that are taking place in our State. The loss of tax revenue from gasoline sales alone would seriously hamper our road building and highway maintenance. In fact, the economic effect upon the State of New Mexico would be drastic.



Furthermore, as we are sure you will agree, State governments as we have in New Mexico are perfectly capable of governing and legislating for their own State, without Federal supervision or directives. State governments will soon become obsolete if this Federal trend of control is continued.

As you are already on record as opposing this section, we urge you to exercise all possible influence to have this section defeated in the Senate. The results of the Senate action will certainly have a permanent influence upon the economy of the State of New Mexico.

Thank you for your many favors and assistance of the past.

Yours truly,

CHARLIE WHITE.

Whereas the Senate Roads Committee has before it, Senate bill 3041 and Senate bill 3218, which if passed will prohibit and control roadside advertising on private land adjacent to the Interstate Highway System and eliminate any billboards within 600 feet of the right-of-way; and

Whereas it is the belief of this organization that the passage of these bills will seriously influence the economy of the tourist trade; will prevent such towns as Grants and other communities from advertising their facilities available to the traveling public and will abolish the right to inform strangers where such services are offered: Therefore, be it

*Resolved*, That the Grants and Western Valencia County Chamber of Commerce goes on record as opposing these bills and thereby respectfully requests your cooperation in taking the necessary action to defeat the measures and allow signs along the Interstate Highway System.

This resolution adopted at a regular meeting on Wednesday, March 19, 1958, by a majority vote of the members present.

GRANTS AND WESTERN VALENCIA COUNTY CHAMBER OF COMMERCE,

By MARVEL PRESTRIDGE, Secretary.

VALENCIA COUNTY,

Bluewater, N. Mex., March 20, 1958.

Senator DENNIS CHAVEZ,

United States Senate,

Washington, D. C.:

DEAR SENATOR CHAVEZ: It has been brought to my attention that Senate bill 3041, introduced by Senator BUSH, Republican of Connecticut, and Senate bill 3218, introduced by Senator KUCHEL, Republican of California, are to eliminate billboard advertising along the Interstate Highway System.

Since a large part of the income of New Mexico is derived from the tourist industry, I feel it would be against the best interests of New Mexico to eliminate highway advertising except where it would create a driving hazard such as at an intersection or on a bad curve.

I would like to urge defeat of these bills when they come before you. Anything you can do to defeat them would be appreciated.

Very truly yours,

JANE HYDE COSPER,

Vice Chairwoman.

Mr. CHAVEZ. Mr. President, I also ask unanimous consent that there be printed in the RECORD 7 telegrams from the other side, favoring section 12 of the bill.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

ALBUQUERQUE, N. MEX.,

March 24, 1958.

Hon. DENNIS CHAVEZ,

United States Senate,

Washington, D. C.:

The members of La Noche Garden Club

request that vote for the bill which limits billboards.

Mrs. BERNARD LOWENSTEIN,  
President, La Noche Garden Club.

SANTA FE, N. MEX., March 22, 1958.

Hon. DENNIS CHAVEZ,

Senate Office Building,

Washington, D. C.:

As a citizen of New Mexico I urge you to support Senator NEUBERGER's bill to regulate billboards on new Federal highway system.

A. E. WHITE.

SANTA RITA, N. MEX., March 24, 1958.

Hon. DENNIS CHAVEZ,

Senate Building,

Washington, D. C.:

Members of New Mexico Garden Club, Inc., and their thousands of friends are depending on your vote and support for the billboard amendment.

Mrs. HORACE L. BOUNDS,

President.

SANTA FE, N. MEX., March 22, 1958.

Hon. DENNIS CHAVEZ,

Washington, D. C.:

We respectfully urge you to use your influence in behalf of legislation intended to keep our new Federal highways free of advertising billboards.

OLD SANTA FE ASSOCIATION,  
JOHN G. MEEM, President.

SANTA FE, N. MEX., March 24, 1958.

Hon. DENNIS CHAVEZ,

Washington, D. C.:

Do hope you favor Senate bill 3218 limiting billboards on Federal highways. Please. Please.

ALLISON VON WEDEL.

ALBUQUERQUE, N. MEX., March 25, 1958.

Hon. DENNIS CHAVEZ,

United States Senate Building,

Washington, D. C.:

We the members of Hillcrest Garden Club Albuquerque, N. Mex., representing a membership of 30 would appreciate your support of section 122 of the highway bill dealing with bill boards on interstate highways.

Mrs. THERESA M. HOWARD,

President, Hillcrest Garden Club.

ALBUQUERQUE, N. MEX., March 25, 1958.

Hon. DENNIS CHAVEZ,

Senate Office Building,

Washington, D. C.:

Representing 700 Garden Club members we urge your support bill board control bill including section 122.

Mrs. RALPH T. OSBORN, Jr.,

President, Albuquerque Council of Garden Clubs.

Mr. KUCHEL. Mr. President, I yield myself 15 minutes.

The PRESIDING OFFICER. The Senator from California is recognized for 15 minutes.

Mr. KUCHEL. Mr. President, today the Senate is proceeding under a unanimous-consent agreement limiting to 4 hours the debate on the billboard-control amendment. In point of fact, however, the debate began last night, and proceeded for several long hours then.

Yesterday the able Senator from Tennessee [Mr. GORE] made a very excellent and clear presentation of the highway bill which now is before the Senate. His presentation was rather lengthy. I regret that most of my colleagues in the Senate apparently had other things to do, and were not present at that time.

As the able Senator from Tennessee proceeded to the point where he began

to comment on the billboard provisions, not very many Senators were present. Suddenly I saw my friend, the Senator from Oklahoma [Mr. KERR], slowly rise from his seat and ask the Senator from Tennessee to yield for a question. The Senator from Tennessee did so. I was sore afraid; I knew full well the excellent ability as a lawyer and the great reputation which my friend, the Senator from Oklahoma, possesses in tremendous degree. I recognized that there was about to begin what perhaps would be a critical and unhappy assault upon proposed legislation which I had been delighted to help fashion.

The Senator from Oklahoma proceeded, and gently asked his questions in well modulated tones. I observed the skill of a fine lawyer with a legalistic scalpel in his hand, questioning, probing, trying to find a weakness if at all possible, in this measure. I continued to be afraid.

Time went by. The Senator from Tennessee fended off the probing, and honestly and forthrightly answered the questions. After a while, I began to be less afraid; it seemed to me that the questions and the answers afforded an opportunity for all who would read the CONGRESSIONAL RECORD to see that all we have done is to try—successfully, by this amendment—honestly and forthrightly to afford protection to the highway system of the United States, to the extent of 41,000 miles as to which the people of the United States, through the Federal Treasury, pay 90 percent of the bill.

Mr. President, on the other hand, today my able friend, the Senator from Oklahoma, and there is no Member of this body for whom I have a fonder regard, has taken a different and far more vigorous approach. Today my friend from Oklahoma stood, not as he did yesterday, in courtesy, in well modulated terms, but rather in stentorian tones, with a blunderbuss in one hand and a shillalagh in the other, and aimed his blows at those of us in the Senate of the United States who had the temerity to try to represent the people's interest. Said the Senator from Oklahoma to the junior Senator from California, "I listened to the Senator from California extol the California constitution and say he wanted to protect it, but he violates it in this bill. He has thrown it out the window; and," said the Senator from Oklahoma, "for a few pieces of silver the Senator from California and the Senator from Oregon would let the State constitutions be broken and would let our State governments be seduced and ravaged and debauched.

I am glad my able friend from Louisiana [Mr. LONG] is present in the Chamber. There is no man in the Senate who does not need to have his credentials in favor of States rights less verified than does my able friend from Louisiana.

Mr. KERR. Mr. President, will the Senator yield?

Mr. KUCHEL. Not yet.

Mr. KERR. For one question?

Mr. KUCHEL. No. I am still a little afraid. [Laughter.]



I have again and again in the Senate seen the able Senator from Louisiana arise and extol, as it is his right and duty, the greatness of the theory of the rights of States, so I am glad we who favor this amendment have a champion of States rights defending our proposal in this debate.

Yesterday I thought, with particular and telling clarity, the Senator from Louisiana asked, What is wrong with the Federal Government's laying down a policy under law by which moneys will be allocated to the States for such high purposes as hospital construction? Is there anyone today in the American Congress who objects to the Federal unemployment compensation statutes, under which, if the States agree to abide by that which the Congress has decreed, Federal moneys are made available to them? What, indeed, is wrong with the present Federal highway legislation, under which, if States agree to abide by Federal standards, they are permitted to receive 90 percent of the cost of constructing an Interstate Highway? The answer is, there is nothing wrong with it, at all.

I think the words which are in the RECORD of last night, iterated by my able friend from Louisiana, demonstrate conclusively the paucity of logic which has been voiced today by my friend from Oklahoma.

Mr. LONG. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to my friend from Louisiana.

Mr. LONG. All this amendment means to me is that if a highway is going to be built for a million dollars, the Federal Government will put up \$900,000 and say to the States, "In addition to the \$900,000, we will give you an extra \$5,000 if you try to keep the highway beautiful." That is all it means to me. The State can either take the extra \$5,000 or permit \$50,000 worth of signs to be constructed on the highway, which may make it so ugly that nobody will want to drive on it except by necessity.

Mr. KERR. Mr. President, will the Senator yield?

Mr. KUCHEL. I am still a little afraid.

Mr. KERR. But not too much? I remind the Senator that I yielded to him.

Mr. KUCHEL. The Senator from Oklahoma now touches me in a place which I find overwhelms me. With great trepidation, I yield to the able Senator from Oklahoma.

Mr. KERR. The statement made by the distinguished Senator from California has disarmed the Senator from Oklahoma. I want to say to him he is the last man on the floor I would either harm or seek to harm, because of my affection and respect for him. The Senator referred to the similarity between the Federal Government's participation in the proposal now before the Senate, and that pertaining to local hospitals.

Mr. KUCHEL. Yes.

Mr. KERR. Can the Senator name for the Senator from Oklahoma a single other Federal program of participation in construction, whether it be for hos-

pitals, schools, or whatever it may be, where the facilities on which the Federal Government or the State is to construct the facility makes any approach other than by paying the citizen who owns the property where the facility has been built or is to be built for his property, in accordance with the law and in accordance with the value of the property to be obtained from the citizen?

Mr. KUCHEL. I am frank to give the Senator—and I desire to develop that point in the comments I shall make—the reasons why we are endeavoring to give States an incentive either to purchase advertising easements, or, if they so desire, to exercise their constitutional police powers.

Mr. KERR. And do so without paying for the property?

Mr. KUCHEL. As the Senator well knows, the police power of a State, if it is exercised in a reasonable fashion, constitutes a part of the law of this great Republic.

Mr. KERR. Is the Senator able to point to a hospital which has been built with Federal funds, the location for which was obtained by police power?

Mr. KUCHEL. I cannot.

Mr. KERR. I thank the Senator.

Mr. KUCHEL. Mr. President, earlier this morning my able friend, the Senator from Oklahoma, arranged to have brought into the Senate Chamber some signs, and in referring to them, he denounced the provision of the bill which, with respect to one aspect of the philosophy of the amendment, limits signs to 500 square inches. He was utilizing that feature of the amendment as an argument, as he saw it, for rejecting the entire amendment.

I was puzzled. I asked the Senator about it, because I did not want to rely on a faulty memory. I said, "How did the Senator vote in committee on the 500-square-inch amendment?" The Senator from Oklahoma said, "I voted for it." I was more puzzled then than before, because my able friend had voted for something in committee, and having been on the prevailing side, now used that for which he voted in committee as an argument on the Senate floor against the proposal. The simple truth is that while language must be susceptible to honest interpretation, I say the language in the bill is sufficiently clear as to defy misrepresentation to reasonable minds.

On the point of subparagraph (3), with respect to the 500-square-inch provision, I think the letter which the able Senator from Oregon [Mr. NEUBERGER] placed in the RECORD, and the short colloquy in which we both participated with the Senator from Virginia [Mr. ROBERTSON], make it abundantly clear what the intention is. Beyond that I think a mere reading of subparagraphs (3) and (4) ought to make it clear to Senators what the intention is.

What, in a word, are we trying to do? We live in a Nation, 48 States, which has streets, roads, highways, and thoroughfares embracing millions of miles and extending across the continent.

There is one system which was fashioned in the Congress 2 years ago to provide for a 41,000-mile, high-speed,

limited-access Interstate and Defense Highway System, which Congress determined to pay for to the extent of nine-tenths. A portion of that system is in use today. Indeed, some of it was actually being used to the time the bill was passed in 1956.

The amendment, which the committee has approved by a majority vote, prescribes a national policy which the President of the United States has endorsed and which Gov. Adlai Stevenson in principle has endorsed. It is a national policy by which we say, "It is in the interest of the safety of the driving public and it is in the interest of protecting the scenic beauty of the areas traversed by these thoroughfares that the highway system should be protected from indiscriminate outdoor advertising." That is all we say. That is all we honorably seek to do.

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. KUCHEL. Mr. President, I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator from California is recognized for 3 more minutes.

Mr. KUCHEL. After proclaiming the national policy we except that part of the highway system which does not require additional rights-of-way and which was in being prior to the effective date of the statute in 1956.

We had the problem of home rule to consider. Cities in my State, for example, have a constitutional right under the State constitution to exercise the police power, as they have done, are doing, and will continue to do in the future, and thus the State could not speak for such cities in any agreement to apply a national policy. So in the bill we excepted incorporated cities.

We did something more. We provided that if a State was interested in adhering to an agreement which would be worked out between the Secretary of Commerce and the State itself, we would accept a decision by the State as to what areas constituted industrial or commercial or business areas through which the interstate highway might run, and there the national highway policy would not apply.

Mr. President, we are making an attempt to meet a basic issue and meet it fairly. It seems to me that no one can quarrel with the reasonable terms in which the amendment has been fashioned. I hope most sincerely that the amendment will be adopted overwhelmingly and that the amendment of my able friend from Oklahoma [Mr. KERR] and other Senators will be defeated.

I close by reading into the RECORD a statute dated 1285 A. D. It is the Statute of Winchester, 13 Edward I. It is entitled, "The Breadth of Highways Leading From One Market Town to Another."

And further, it is commanded, that highways leading from one market-town to another shall be enlarged, whereas bushes, woods, or dikes, be so that there be neither dike, tree, nor bush, whereby a man may lurk to do hurt, within two hundred foot of the one side, and two hundred foot on the other side of the way, so that this statute shall not extend unto ashes, nor unto great



trees, for which it shall be clearly out of this. (2) And if by default of the lord, that will not abate the dike, underwood, or bushes, in the manner aforesaid, any robberies be done therein, the lord shall be answerable for the felony; and if further be done the lord shall make a fine at the King's pleasure. (3) And if the lord be not able to fell the underwoods, the country shall aid him therein. (4) And the King willeth, that in his demean lands, and woods within his forest and without, the ways shall be enlarged, as before is said. (5) And if perchance a park be taken from the highway, it is requisite that the lord shall set his park the space of two hundred foot from the highways, as before is said, or that he make such a wall, dyke, or hedge, that offenders may not pass, nor return to do evil.

I do not propose that we do evil in the Senate today. I propose we do something good for the people. I ask Senators on both sides of the aisle to defeat the amendment to strike out the incentive legislation for billboard control.

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. KUCHEL. Mr. President, I yield 10 minutes, or such amount of 10 minutes as he may desire, to the able junior Senator from New Hampshire [Mr. COTTON].

Mr. COTTON. Mr. President, it is not my intention to review and rehearse the arguments already made in connection with the provisions of the pending bill which apply to the control of highway advertising. I wish to say, however, that the issue has been rather beclouded this morning by impassioned pleas which go far beyond the commonsense, down-to-earth interpretation of the provisions.

As has already been pointed out, the provisions in the bill relating to billboard advertising are essentially restricted to the portions of the Interstate Highway System which are outside the commercial areas, outside the metropolitan areas, and outside the areas which are within the incorporated towns, where advertising is already permitted and in many cases, if not in most cases, already controlled by local or State regulations.

The provisions of the bill are clearly pointed toward the Interstate System which in part, has been constructed, other parts of which are about to be constructed, or are in the process of being constructed, through the rural areas, in most cases where no highway has heretofore existed. The design and purpose are to preserve and protect the system, into which the Federal Government will be pouring vast sums of money, from indiscriminate, uncontrolled advertising.

Mr. President, I call to the attention of the Senate now what I will explain again briefly when I call up my amendment. I intend to offer an amendment, which will not be in order, of course, until the time has expired or been yielded back on the amendment of the able Senator from Oklahoma [Mr. KERR] to strike from the bill the provision under discussion. This amendment will make more clear and will further limit the application of the billboard provision of the bill.

The provision on page 22 of the bill as it is now before us reads:

Any such agreement may, within the discretion of the Secretary of Commerce, consistent with the national policy, provide for excluding from application of the national standards segments of the Interstate System which traverse incorporated municipalities wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control, or which traverse other areas where the land use is clearly established by State law as industrial or commercial, or which are built on rights-of-way.

Mr. President, I invite particular attention to this wording: "wholly acquired before July 1, 1956."

That provision might apply to a portion of the interstate system where an existing highway has been somewhat widened. It will be my intention to offer an amendment to strike out the words "rights-of-way wholly acquired" and, so as not to leave the matter to the discretion of the Secretary of Commerce, to insert a limitation on the effect of the bill to those parts of the Interstate System in which the rights have been wholly acquired since July 1, 1956. In other words, it would limit the control of advertising under the act to those parts of the Interstate System which are wholly new, built through rural areas where no highway has heretofore existed.

I am unable to ascertain, and the Bureau of Public Roads is unable to inform me as to the exact percentage which this provision would cover. Seventy-two percent of the proposed Interstate System is, in their eyes, new, virgin highway. But some small parts of the system consist of highways which have previously been in use.

I am offering this amendment, first, because I believe in controlling advertising on the new highway system. I supported such a policy last year. I supported it when the highway bill first came before the Senate, and regretted that the provision was stricken out. I supported it in the committee, when we were unable to obtain a majority vote to report it to the Senate; and I am supporting it now.

I believe it will be an effective provision. One advantage of it is that it will mean that no present advertising facilities will be torn down, that no rights of advertising which were in existence before the act went into effect on July 1, 1956, will be harmed, that no one who has his money invested in motels, restaurants, gasoline stations, or any industrial or commercial enterprise, or who has his signs on highways in existence, will be deprived, either by purchase or by exercise of police power, of the advertising rights he now has.

It will mean that at least 65 or 70 percent of the entire Interstate System which is to be constructed through the countryside will, from the very beginning, be under control so far as advertising is concerned. So far as we in the Federal Government can bring it about by national policy, and so far as it can be brought about by paying our share of the purchase price, such highways

will be controlled with respect to advertising.

I believe that the adoption of such an amendment would make this a stronger bill, and that there would be a better chance of getting it through the Senate and the other body.

Second, I think it would grant protection against unbridled and unrestrained highway advertising, and accomplish all that is necessary to preserve the beauty of the landscapes of the countryside. I believe such an amendment would make the bill better and more logical.

It would have the added effect of applying only to those parts of the highway where there is no existing advertising facility, which locations are not attractive to advertisers until the highway has made it so. When we build a highway in an entirely new location, where no highway has previously existed, through the countryside, we are not depriving anyone of any rights which he has theretofore had, because there was no reason for advertising when there were no highways.

The Federal Government, which is paying 90 percent of the cost of these highways, is justified in protecting its investment by using every reasonable and legitimate means to limit and control advertising in that area.

Mr. KERR. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. KERR. Does the Senator think the Federal Government now has the power to exercise control whether or not there is a sign in an area which is not a part of the right-of-way on which the highway is built?

Mr. COTTON. I do not; and there is no such provision in the bill.

Mr. KERR. I thank the Senator.

Mr. COTTON. There is no provision by which the Federal Government is attempting to exercise such control.

The bill merely provides, first, that if the State has the right to control advertising, and decides to control it, the State will receive additional aid from the Federal Government; and second, the bill provides that if the State chooses to purchase, in connection with the purchase of the rights-of-way, advertising rights, and pay for them, the Federal Government will pay its share, so long as the advertising rights purchased do not cost in excess of 5 percent of the cost of the rights-of-way.

Mr. KERR. Mr. President, will the Senator further yield?

Mr. COTTON. I yield.

Mr. KERR. Does the highway department in the State of New Hampshire have the authority to prevent the erection of signs on property of private citizens in areas adjacent to, but not a part of, the right-of-way for a highway?

Mr. COTTON. It does not. I doubt whether the highway department of any State has such a right. Whether the legislature has such a right or not is another question.

Mr. KERR. I asked the Senate if the highway department had such a right.



Mr. COTTON. Certainly not; and if the bill is passed, the highway department will not have any more rights than it previously had.

The PRESIDING OFFICER. The time of the Senator from New Hampshire has expired.

Mr. COTTON. May I have 5 minutes more?

Mr. KUCHEL. I yield 5 minutes more to the Senator from New Hampshire.

Mr. KERR. I ask the Senator if it is not a fact that the bill provides that if a contract is made between the highway department and the Secretary of Commerce, the control is implemented. Is not that the provision of the bill?

Mr. COTTON. I am not sure that I understand the Senator's question.

Mr. KERR. Is it not a provision of the bill that this regulatory program shall be put into effect if the State highway department makes a contract with the Secretary of Commerce permitting it?

Mr. COTTON. If the State highway department made such a contract and carried out the contract, it would be put into effect. But the State highway department cannot carry out such a contract if it has not the authority to do so.

Mr. KERR. Does the bill state that the implementation of the policy is dependent upon the State highway department having such authority?

Mr. COTTON. Anyone with ordinary commonsense, in reading the bill, would know that if the highway department is unable to carry out the provisions of the bill, they will not be carried out.

Mr. KERR. Does the Senator believe that laws should be written so that only those with commonsense can understand them? Or does he think they should be written so that those not blessed with commonsense may understand them?

Mr. COTTON. Those with commonsense should shed light for those not blessed with commonsense.

Mr. KERR. Does the Senator think we should place that burden upon them?

Mr. COTTON. I think it would not be an impossible burden.

Let me say to the Senator, in as plain language as I can, that if I can read English correctly, the bill merely provides that, if a State chooses to regulate advertising, and has the constitutional power to do so, it shall be paid one-half of 1 percent more from the Federal Government; and if it does not choose to exercise that right, and prefers to purchase the right, and does purchase it, the Federal Government will pay 90 percent of the cost. That is all the bill provides.

Mr. KERR. Mr. President, will the Senator yield further?

Mr. COTTON. Certainly.

Mr. KERR. I recognize the Senator's complete knowledge of and familiarity with what is in the bill, and his great ability and understanding. The Senator from Oklahoma does not possess those qualities in the proportion the Senator from New Hampshire does.

Mr. COTTON. That is not so.

Mr. KERR. As a favor to the Senator from Oklahoma, would the Senator

from New Hampshire now show the Senator from Oklahoma where that language is in the bill?

Mr. COTTON. What language?

Mr. KERR. That which provides in effect, that if the State has a right to act, and in the exercise of its constitutional authority it does act, thus and so happens.

Mr. COTTON. The bill does not contain such specific language, because, as a matter of constitutional fact, neither the Senate nor any other body can confer upon the States an unconstitutional privilege. Obviously it is only if the State has the power to act, and does act, that it can proceed under the provisions of the pending bill.

Mr. KERR. Does not the bill authorize the Secretary of Commerce to enter into agreements with State highway departments? Is not that language contained in the bill?

Mr. COTTON. Yes.

Mr. KERR. The Senator from New Hampshire says the highway department does not have the authority and the Secretary of Commerce does not have the authority. The Senator from Oklahoma, therefore, would like to know how the two, contracting together, can create an authority which neither of them possesses.

Mr. COTTON. They cannot. That is a safeguard which should console and comfort the heart of the distinguished Senator from Oklahoma.

The PRESIDING OFFICER (Mr. Long in the chair). The time of the Senator from New Hampshire has expired.

Mr. COTTON. May I have 2 more minutes?

Mr. KUCHEL. I yield 2 more minutes to the Senator from New Hampshire.

Mr. COTTON. I shall say one more thing in my own time. If the Senator from Oklahoma can get me more time later, I shall use it to answer his questions further.

Mr. KERR. I would not want to encounter the difficulty of securing additional time. I would not want thus to impose on our good friend from California.

Mr. KUCHEL. I have just yielded an additional 2 minutes.

Mr. KERR. For the use of the Senator from New Hampshire.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. What is the official time situation at the moment?

The PRESIDING OFFICER. The Senator from California has 71 minutes remaining. The opposition has 65 minutes remaining.

Mr. COTTON. The Senator from California has 71 minutes remaining, and he gives me only 2 minutes?

Mr. KUCHEL. Three minutes.

Mr. COTTON. I thank the Senator. He has always been the soul of generosity. He leads me to suspect that he is so reluctant to give me more time because he is afraid that what I may say will be a liability to his cause rather than an asset.

Mr. KUCHEL. What I am afraid of is that when the 3 minutes have expired there will be a request for 3 more minutes, as there have been already 2 requests for 5 minutes each.

Mr. COTTON. I wish to add one more thought. It is what I was about to say when the distinguished Senator from Oklahoma interrogated me. A great deal has been said on the floor of the Senate this morning about the rights of the people living adjacent to the proposed Interstate System, and about the value of their advertising rights and such rights being taken from them. The answer to that, first, is that such a right cannot be taken from them unless the State has the right to do so and exercises it, or pays for it.

Another answer which should be borne in mind is that the citizen who is the real sufferer from the construction of the Interstate Highway System is not the citizen who might want at some future date to sell to some corporation the privilege of putting up an advertising sign on his property. Rather, it is the citizen who finds his home shut off without an access to the highway, or with no access, perhaps, for 3 or 4 or 5 miles. To be sure he has been paid, but the highway may run between his farmhouse and his barn.

The PRESIDING OFFICER. The time of the Senator from New Hampshire has expired.

Mr. KUCHEL. I yield 1 more minute to the Senator from New Hampshire.

Mr. COTTON. They are the people who have already suffered. The matter of advertising is not something which justifies anyone in tearing his hair. It is my hope that my amendment will be adopted. It will narrow the question down to the new, virgin highway where no highway has existed heretofore, where no advertisements have been in existence. In that way we will be able to protect the freedom—there has been said about freedom—of those who will travel on the highways in future years, and who will not become captives of a long line of advertising signs.

Mr. KUCHEL. Mr. President, I yield 1 minute to the Senator from Idaho.

Mr. CHURCH. Mr. President, I have received a number of telegrams and letters from persons throughout Idaho favoring the enactment into law of section 12 of the present bill. I ask unanimous consent that these expressions of popular support for the principle of billboard regulation, as embodied in section 12, be printed at this point in the RECORD.

There being no objection, the letters and telegrams were ordered to be printed in the RECORD, as follows:

LEWISTON, IDAHO.

Senator FRANK CHURCH,  
Washington, D. C.

DEAR FRANK: After reading Marquis Childs' article in March 22 Tribune, I want to thank you for supporting the anti-billboard amendment of Senator NEUBERGER. I have not talked to a single person in the past 2 days but who approves of your stand and are pleased to be represented by someone who will support such an amendment.

Sincerely,

SHIRLEY F. LYONS.



GRANGEVILLE, IDAHO, March 22, 1958.

Hon. FRANK CHURCH,  
The Senate, Washington, D. C.

DEAR MR. CHURCH: This is to let you know that we are in favor of no billboards on the transcontinental highway. If all signs could be small and scattered in desert or plains country and be amusing like The Stinker's in southern Idaho, there would not be so much objection; but permitting one opens the way for others and it is enough to have only regular direction and standard highway signs.

Very truly yours,  
Mr. and Mrs. E. M. DOWNING.

LEWISTON, IDAHO, March 23, 1958.

The Honorable FRANK CHURCH,  
United States Senate,  
Washington, D. C.

DEAR SIR: The Merri-Tiller Garden Club with a membership of 18 of the Idaho State Federation of Garden Clubs, greatly desire your continued support of a bill prohibiting advertising billboards along the highways.

Very truly yours,  
Mrs. H. G. MARSHALL,  
President of Merri-Tillers Garden Club, First Assistant Director of Panhandle-Clearwater District.

REUBENS, IDAHO, March 23, 1958.

Senator FRANK CHURCH,  
Washington, D. C.:

DEAR SIR: As a garden club member and Panhandle-Clearwater district director of Federated Garden Clubs, I would like to add my plea for myself and our garden clubs to keep our highways free of billboards.

We are working to beautify our State and highways, and certainly billboards do not add to the beauty of our State, which we are striving to make a place we can be proud to have people travel through.

We hope you will help us in this matter when this bill is presented.

Thank you.  
Sincerely,

Mrs. SAM I. QUINN,  
Panhandle-Clearwater District Director.

LEWISTON, IDAHO, March 24, 1958.

Senator FRANK CHURCH,  
Senate Office Building,  
Washington, D. C.:

The Nez Perce County Democratic Women's Organization asks your continued support of the Neuberger and billboard amendment for the national highway bill.

Mrs. GILBERT WILLIAMS,  
Chairman, Legislative Committee.

POCATELLO, IDAHO, March 24, 1958.

Senator FRANK CHURCH,  
Washington, D. C.:

Urge your support of section 12, bill S. 3414, billboard control.

LULU JOHNSON,  
Vice President, Idaho Federated Garden Clubs.

IDAHO FALLS, IDAHO, March 23, 1958.

Senator CHURCH,  
Washington, D. C.:

We urge your support of section 12, Senate bill 3414, billboard control.

Thank you.

Mrs. LAWNIE HOOKER,  
District Director, Southeast District,  
Idaho Federated Garden Clubs.

POCATELLO, IDAHO, March 24, 1958.

Senator FRANK CHURCH,  
Washington, D. C.:

Urge your support of section 12, bill S. 3414, billboard control.

Mrs. E. R. BUEHLER,  
Chairman, Roadside Development,  
Idaho Federated Garden Clubs.

IDAHO FALLS, IDAHO, March 23, 1958.

Senator FRANK CHURCH,  
Washington, D. C.:

We urge your support of section 12, Senate bill S. 3414 billboard control. Thank you.

Mrs. GLEN WADSWORTH,  
President, Idaho Falls Flower and Garden Club.

WEISER, IDAHO, March 24, 1958.

Senator FRANK CHURCH,  
United States Senate,  
Washington, D. C.:

Vote "yes" on bill S. 3414, control billboards on highway.

Respectfully,

WEISER GARDEN CLUB,  
GARDEN CRAFTS GARDENING WORKSHOP.

OROFINO, IDAHO, March 24, 1958.

Senator FRANK CHURCH,  
Senate Office Building,  
Washington, D. C.:

We as a group are opposed to billboards along the highway.

THE SOD BUSTERS GARDEN CLUB.

PAYETTE, IDAHO, March 24, 1958.

Hon. FRANK CHURCH,  
United States Senator, Senate Office Building, Washington, D. C.:

Vote "yes" for bill S. 3414, control of billboards on new highway.

PAYETTE FLORAL CLUB GREEN GARDEN GALLS.

Mr. KERR. Mr. President, I yield 15 minutes to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, I rise in support of the amendment to delete section 12 from the pending bill.

First of all, I wish to say that I am thoroughly in sympathy with the declared objectives of the bill. All of us, I am sure, will subscribe to the idea that it is much better to have scenic beauty and grandeur than things not beautiful and grand. I believe I come by the desire to have scenic beauty and grandeur preserved as honestly as anyone else, because my family and I have always enjoyed the beauty of nature, not only along highways but also in camp, whether in the open or under the shelter of a tent. We have spent many happy weeks and even months in that type of activity.

However, in this instance, as in any other instance, we are entitled to have the legislative objective achieved by a workable plan, a plan which is legal and constitutional, a plan which is acceptable in method and feasible financially, and one which both parties will be able to carry out.

I submit that section 12 does not have any of those qualifications. To put it affirmatively and positively, I say that section 12 does not present a workable plan. It is not legal or constitutional. It is not acceptable in method and it is infeasible financially. Furthermore, it is a plan which will result in agreements being entered into by the States and the Secretary of Commerce which cannot be performed and carried out on the part of the States themselves.

It is interesting to observe the evolution of the proposed legislation. Originally, when this type of legislation was proposed and considered, it involved the concept of direct Federal action. It was very early discarded on that basis, because the General Counsel of the Depart-

ment of Commerce wrote an opinion which definitely held that the Federal Government does not have the authority to control advertising along the Interstate System. The opinion further stated that the Federal Government may not participate in the acquiring of advertising rights, except in limited instances, under section 2 of the Federal Highway Act of 1940, as amended, where the acquisition of such rights alone would be sufficient for the preservation of natural beauty. The opinion further held that the Secretary of Commerce was not authorized to acquire advertising easements with Federal aid highway funds.

Therefore the concept of having the Federal Government interest itself directly in these efforts was abandoned. It had to be abandoned. When it was found that these powers were not enjoyed by the Department of Commerce, that the Federal Government had no police power in this respect, and that it had no power to control this advertising, a shift in techniques was made, and a new maneuver was restored to.

In section 12, we witness an effort to resort to indirection to achieve that which cannot be achieved directly. In this proposal, authority is granted to the Secretary of Commerce to "enter into agreements with State highway departments to carry out the national policy set forth in subsection (a) of this section with respect to the Interstate System within the State."

What is that national policy to which reference is made in the authorizing language of the bill? If we refer to the language on page 21, lines 6 through 24, we have it before us. I ask unanimous consent that that portion of the bill to which I have just referred be printed at this point in the RECORD.

There being no objection, the portion of the bill was ordered to be printed in the RECORD, as follows:

It is hereby declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within 660 feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System should be regulated, consistent with national standards to be prepared and promulgated by the Secretary, which shall provide for:

(1) Directional or other official signs or notices that are required or authorized by law.

(2) Signs advertising the sale or lease of the property upon which they are located.

(3) Signs not larger than 500 square inches advertising activities being conducted at a location within 12 miles of the point at which such signs are located.

(4) Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

Mr. HRUSKA. Among other things which the national policy embraces is a listing of national standards to be prepared and promulgated by the Secretary of Commerce, which shall provide for 4 kinds of signs: First, directional or official signs; second, signs advertising the sale or lease of the property up-



on which they are located; third, signs not larger than 500 square inches advertising activities being conducted at a location not farther than 12 miles from the location of the signs; fourth, signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of section 12, and designed to give information in the specific interest of the traveling public—whatever that means.

The question has arisen in the debate as to whether or not the enumeration of those 4 types of signs is exclusive, or whether they may be amended or added to.

It had been my understanding, until yesterday afternoon, that those 4 types of signs were the only signs which could be authorized under the regulations which would be prepared and promulgated by the Secretary of Commerce. But it was submitted yesterday and is now contended, as I understand, by the authors of the bill, that those 4 types of signs are not exclusive; that they are mandatory; that they have to be in the regulations, but they are not exclusive.

So the Secretary of Commerce can add to the size of the signs. He is not limited to 500 square inches in specifying their size. He may authorize signs as large as 30 by 60 feet, if he so chooses, so far as it is within reason, whatever that means. I shall discuss that in a moment.

I should like to consider the question of the four types of signs first as being exclusive and then, as not being exclusive. First, I wish to consider the alternative of their being exclusive, and that the Secretary of Commerce is bound by them and cannot add anything more to the list. If the four types of signs are exclusive and cannot be departed from, it means that whenever an agreement would be entered into by the Secretary with a State highway department, there would be a setting aside and a nullification of any and all State and local laws and ordinances relating to zoning regulations pertaining to the advertising signs within the area embraced in the agreement, because the agreement, by the language of the bill, must include provisions regarding the regulation of signs in conformity with the standards established in accordance with subsection (a). This includes the four subparagraphs to which I have referred. If it does that, and if those four subparagraphs may not be added to or changed, it means that if there are any signs in the area subject to the agreement signed by the Department, such signs become illegal because they do not comply with the national policy.

It is interesting to observe, as has already been brought out in the debate, that there are about 4,500 miles of Interstate System in urban areas. Virtually every one of those areas has some type of zoning. It said that those areas are excluded from the operation of the bill. I submit that that is not true. If it were true, simple language to that effect could have been included in the bill, but such language is not in the bill.

There is simply a provision that the Government, in the discretion of the

Secretary of Commerce, may exclude those portions, if he sees fit to do so. He does not have to do so. He may choose to do so, or he may choose not to do so. He may consider that the zoning ordinance of a particular city or village is not sufficient for his purpose. He may say, "We will not allow that particular segment of interstate highway to be excluded from the national policy, which is limited to the four types of signs enumerated in the statute." If he does that, then necessarily any sign embraced in that area will remain within the scope of the agreement which was signed.

Mr. KERR. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. KERR. Is it not the Senator's judgment as a lawyer, based upon his very complete and intimate knowledge of the provisions of the bill, that the Secretary of Commerce cannot exercise his discretion, except as provided in lines 16 and 17, page 22, "consistent with the national policy"?

Mr. HRUSKA. That is correct. That provision is written into the bill.

Mr. KERR. That is the purpose of the phrase being put into the bill, is it not?

Mr. HRUSKA. That is exactly correct. He can provide in the agreement exclusions of certain parts of the Interstate Highway System which are located within incorporated villages if it is consistent with the national policy, as declared within the four subparagraphs to which I have referred.

If there is advertising within that area which does not comply with the 4 subparagraphs, and if they cannot be changed, that advertising must be removed, or else the agreement with the State cannot be carried out successfully.

Mr. KERR. In other words, regardless of the amount of discretion the Secretary of Commerce may have as provided in the bill, whatever he does have is limited by the language which requires him to use the discretion so that the result will be consistent with the prescribed national policy.

Mr. HRUSKA. That is what the language of the bill provides.

Mr. KERR. One of the elements of the national policy is that a sign cannot be within 660 feet of either side of the highway and of a size greater than 500 square inches.

Mr. HRUSKA. Yes. I should like to refer to colloquy which occurred at the instance of the Senator from Virginia [Mr. ROBERTSON], who made inquiry as to whether or not subsection 4 is modified by subsection 3.

Mr. KERR. Or otherwise—vice versa.

Mr. HRUSKA. Or otherwise—vice versa. Subsection 4 is plain. It reads:

Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

There is a reason for including "not inconsistent with the national policy and standards of this section." "This section" means all of section (a). It necessarily must be so. Included in this

section is a prohibition of signs larger than 500 square inches.

I suggest that when the authors of the bill say that subsection (4) is not modified or qualified by subsection (3), and if they are in good faith on that score, they will not object to subsection (4) being modified to read:

Signs erected or maintained pursuant to authorization under State law, and regardless of size, and designed to give information of specific interest to the traveling public.

I would urge that such an amendment be adopted.

It seems to me that would be an excellent test of good faith on the part of those who seek to construe that language as they have indicated here on the floor earlier today.

Mr. KERR. In other words, if they are sincere in their statement that paragraph 4 is not limited by paragraph 3, all they would need to do to evidence good faith in the matter would be to agree to include in paragraph 4 language which would make it clear that it is not subject to the limitation of paragraph 3. Is that correct?

Mr. HRUSKA. That is correct. I submit that that could be achieved simply by inserting the words "regardless of size or proximity to the place advertised." Then we would have clearly in mind that paragraph 3 would not apply to section 4.

With the proposal of such an amendment, I believe we would have an interesting time if consideration were given by the authors of the bill for adoption of that amendment.

If the four paragraphs of subsection (a) are mandatory and exclusive, and if an agreement which is signed is contrary to the present zoning ordinances, and so forth, of a metropolitan area or subdivision, we shall run into the following situation: It will be necessary for the State to purchase the advertising rights which exist within the System. But obviously there would not be sufficient funds with which to do so.

There would be many instances in which the owners would not be willing to part voluntarily with that right, that their property could be used for advertising purposes. And condemnation would not be applicable, because we know that such proceedings are not available for such a purpose when no taking of property is involved; when it is sought to acquire only a negative easement or its equivalent.

Yet the use of the property for such advertising purposes is legal, and such right would have to be disposed of in some way in order for the State to be able to comply with its agreement.

It is difficult for me to envision that the mere signing of an agreement between the State department of highways and the Department of Commerce would interfere with that legal right.

The PRESIDING OFFICER (Mr. HOBLITZELL in the chair). The time yielded to the Senator from Nebraska has expired.

Mr. KERR. I yield 5 additional minutes to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 5 more minutes.



Mr. HRUSKA. I thank the Senator from Oklahoma.

Mr. CASE of South Dakota. Mr. President, will the Senator from Nebraska yield for a question?

Mr. HRUSKA. I yield for a brief question, inasmuch as my time is limited.

Mr. CASE of South Dakota. Does the Senator from Nebraska propose to offer the amendment he has just suggested?

Mr. HRUSKA. I may do so a little later; yes.

Mr. CASE of South Dakota. I hope the Senator from Nebraska will thus bring up the issue.

Mr. HRUSKA. I may do so a little later, because apparently that would clear up a great deal of the fuzzy thinking regarding the relationship between paragraph (3) and paragraph (4).

Mr. President, it is said that the bill provides that—

Any such agreement may, within the discretion of the Secretary of Commerce, consistent with the national policy, provide for excluding from application of the national standards segments of the Interstate System which traverse incorporated municipalities wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control, or which traverse other areas where the land use is clearly established by State law as industrial or commercial, or which are built on rights-of-way wholly acquired before July 1, 1956.

Again I should like to point out that the exclusion therein stated would be based upon the Secretary's discretion only. That is a very slender reed upon which to depend, as has already been pointed out during the debate.

Now let us consider the view that the enumeration in the four paragraphs of subsection (a) is not exclusive, and that language can be added to or subtracted therefrom.

Mr. President, when we proceed on that assumption, we really get into trouble, because if the national standards prepared and promulgated by the Secretary of Commerce were to contain those 4 provisions and any number of others, then we would run into the field of the delegation of legislative power and the exercise of discretion without providing any proper guideposts, standards, or tests.

The delegation of power is often resorted to in connection with legislation, and it has to be. But in each instance when that is done, there is something tangible by which the person to whom the delegation is made, is governed.

However, that would not be true in this case. For example, if the Secretary of Commerce decided that a sign 30 feet by 60 feet was to be allowed in a certain location, there would be nothing upon which to predicate an appeal to a court, nothing on which to base a charge that the issuance of a license for construction of such a sign was an abuse of the discretion allowed. There are no standards upon which to predicate an appeal.

If one were to say that such a sign would interfere with a traveler's enjoyment or convenience in traveling along the highway, it might be that that would also be the view of the Secretary of Commerce or the employee under his jurisdiction who makes the decision for him. But, on the contrary, such a sign

might be pleasing to someone who traveled down the road; and the court would have no way to tell which of the views to approve. It is an utter impossibility to state anything tangible in connection with an effort to describe the meaning of those words in the minds of all persons.

The most serious aspect of the entire matter is the idea of vesting in the Secretary of Commerce—the present one and those to follow him—the vast, czaristic power which the bill would vest them with. There would be no limitations whatsoever on the power of either; there would be no standards; there would be no guide lines.

Mr. President, now I come to the consideration of a subject—

The PRESIDING OFFICER. The additional time yielded to the Senator from Nebraska has expired.

Mr. KERR. Mr. President—

The PRESIDING OFFICER. The Senator from Oklahoma has 45 minutes remaining.

Mr. KERR. Mr. President, I yield 3 additional minutes to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 3 additional minutes.

Mr. HRUSKA. I thank the Senator from Oklahoma.

Mr. President, during the debate on the floor of the Senate, the following question was asked: What is wrong with the payment of Federal funds in this instance to States, under the provisions of the bill?

In that connection I should like to make a differentiation between the situation under this bill and the situation in connection with construction of a hospital or a highway. When Federal money is advanced for the construction of a hospital, by way of a grant-in-aid or by way of having the Federal Government make funds available to the State government, the money is used for construction of the hospital—to pay for the bricks, the cement, the mortar, the wood, and the hardware which go into the hospital. But that is not the case in this instance. In this instance, however, the Federal money would be paid if a State entered into an agreement to deprive property owners of certain rights in their property. Under the provisions of the bill, the money would then be available upon the signing of the agreement; and it could be used for any purpose in connection with construction of the highway proper on the right-of-way. It seems to me that is different from the situation in connection with the construction of a hospital or a highway proper or any other facility which would be the subject of a grant-in-aid or of a matching program.

Mr. President, again I suggest that I am in sympathy with the objectives of the bill. But it is my thought that we have the responsibility of seeing to it that these declared objectives are achieved by means which are valid, legal, constitutional, and which constitute a workable plan.

Mr. President, the pending bill will not provide such a plan.

I urge that section 12, which embraces this plan, be stricken from the bill.

Mr. President, I yield the floor.

Mr. KERR. Mr. President, I yield 3 minutes to the distinguished Senator from South Carolina [Mr. THURMOND].

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 3 minutes.

Mr. THURMOND. I thank the Senator from Oklahoma.

Mr. President, no one appreciates more than I the unsurpassed grandeur of the American countryside. I also appreciate the fact that the efforts of the authors of section 12 of the bill under consideration are inspired by a noble purpose and laudable intentions. However, the drafters of the Constitution wisely limited the powers and authority of the Federal Government to the areas vital to the existence of a central Government, rather than to grant the power to act to the end that a desirable social purpose be accomplished.

This is a matter which should be left to the States to decide, without the influence of economic pressure in the form of a Federal grant.

Those powers reserved to the States in the Constitution have been and are being constantly reduced to a minimum by a gradual erosion process. One of the principal methods used by the Federal Government to erode the rights of the States is by Federal purchase through grants to the States, accompanied by an ever increasing Federal preemption of tax sources. The sugar coating of a grant makes the pill of usurpation no more palatable than were the usurpation accomplished by force. The use of Federal funds in an attempt to entice the States to surrender their rights only emphasizes a prevailing disregard for sound economy and an irresponsibility with the taxpayers' money.

I shall vote for the Kerr amendment to strike section 12 from the highway bill. I urge those who would stand fast for the preservation of the States as sovereign entities rather than subdivisions of the Federal Government to do likewise.

STATE CONTROL ADVERTISING ON FEDERAL-STATE HIGHWAYS

Mr. KERR. Mr. President, I yield 2 minutes to the Senator from Nevada [Mr. MALONE].

The PRESIDING OFFICER. The Senator from Nevada is recognized for 2 minutes.

Mr. MALONE. Mr. President, I want to join the Senator from Oklahoma [Mr. KERR], the Senator from Nebraska [Mr. HRUSKA], and the Senator from Pennsylvania [Mr. MARTIN] in their amendment, submitted on March 24, to S. 3414, on the matter of State control of advertising along Federal highways.

Mr. President, section 12 of the bill (S. 3414) adds a new section 122 to the Federal Aid Highway Act of 1956, the act under which the new National System of Interstate Highways is being constructed. It is my understanding that this section prohibits all outdoor advertising within 660 feet of the right-of-way line along all Federal highways.

This seems to be a very definite barrier against the use of any outdoor advertising, because it would be impossible for



anyone using the highways to see any signs constructed beyond the 660 feet restriction as imposed by this section.

Although the Federal Government is contributing a majority of the funds for Federal highway construction, it must be remembered that the States are partners in this venture and are contributing a share of the cost. In regulating the use of outdoor advertising, the land area of the State, its population, and, among other things, those economic factors that are peculiar to the State and confined within its borders must be taken into consideration.

The tourism of my own State of Nevada would not appear to lend itself to the type of restriction provided by section 122, whereas the residents of a highly industrialized community like Detroit, Mich., may feel the provisions of the section are satisfactory and proper. If this is true, then it seems to me that the various State legislatures should be allowed the privilege of determining what kind of controls should exist on outdoor advertising along the highways that pass through their States. This matter of local concern should be legislated closer to the business of the respective States than Washington, D. C., and to my way of thinking, Federal intervention is an infringement of States rights.

I repeat, the outdoor advertising situation differs in the several States—that is, densely populated areas or States may want regulation of outdoor billboard advertising, whereas sparsely populated areas with widely separated communities, like Nevada, may need easily recognized highway guides to restaurants, hotels, motels, service stations, and the like, for the benefit of the tourist or traveler utilizing these modern, fast roadways.

Mr. President, I ask unanimous permission to have included in the RECORD, telegrams and other correspondence I received from residents of my State on this subject.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

RENO, NEV., March 21, 1958.  
HON. GEORGE W. MALONE,  
Senator from the State of Nevada,  
Senate Office Building,  
Washington, D. C.

MY DEAR SENATOR: You will recall that I called you yesterday and spoke to you with regard to section 122 of Senate bill 3414 and advised you I was calling at the request of Heywood Advertising Co. You indicated that you desired I send you a letter with regard to this matter so that you would receive it by Monday, which is the day this matter will probably be voted on by the Senate.

It is my understanding that section 122 provides that all outdoor advertising is prohibited within 660 feet from the right-of-way line along all Federal highways. This would seem to be a very definite prohibition against the use of outdoor advertising along Federal highways because it would be impossible for anyone using the highways to see any signs constructed farther than 660 feet from the right-of-way line. Although the Federal Government is contributing a majority of the funds for Federal highway construction, it must be remembered that some State funds are expended even though in a minor amount. It would seem proper

to also remember that the taxpayers who contribute both the Federal and State funds live in all of the several States. These taxpayers, all living in different areas of the country and interested in different endeavors, would probably want different types of restrictions on outdoor advertising than contained in one piece of legislation. The tourism of Nevada would not lend itself to the type of prohibition provided by section 122, whereas the highly industrialized area around Detroit, Mich., may feel the provisions of the aforementioned section proper. If this be true, then it would seem that the various State legislatures should be allowed the privilege of determining what kind of controls should exist upon outdoor advertising along the highways that pass through their States.

This matter of local concern should, therefore, be legislated closer to home than Washington, D. C. Although the State of Nevada has no restrictive legislation on outdoor advertising, this is due to the fact that our unpopulated wide-open spaces lend themselves to the allowance of outdoor advertising. Some of our sister States have seen fit to enact restrictive legislation in one form or another and Nevada may some time come to this. Until it does, however, it would not seem proper for the national legislature to impose any burdens on the free use of land along Federal roadways.

I sincerely hope that you will see fit to vote against the adoption of section 122 of Senate bill 3414.

Kindest personal regards.

Sincerely yours,

SAMUEL B. FRANCOVICH,  
Attorney at Law.

RENO, NEV., March 20, 1958.  
HON. GEORGE W. MALONE,  
United States Senator, Nevada,  
Senate Office Building,  
Washington, D. C.:

Am advised that section 122 of S. 3414 comes up for Senate consideration Monday. Since by business is advertising, believe this bill discriminatory and contrary to States rights principle which we in Nevada advocate, as well as a restriction of property rights. Hope you will vote for elimination of section 122 from otherwise good bill.

JACK MYLES.

LAS VEGAS, NEV., March 20, 1958.  
Senator GEORGE W. MALONE,  
Washington, D. C.:

Our company is positive and specifically opposed to enactment of section 122 Senate bill 3414. No Federal control of our Nevada desert for business purpose is worth the inducement. Please confirm your receipt of this wire.

LEIGH ELLSWORTH,  
President, Beneficial Agencies.

LAS VEGAS, NEV., March 20, 1958.  
Senator GEORGE MALONE,  
United States Senate,  
Washington, D. C.:

Outdoor advertising is a vital media for the automobile dealers. Request you vote against section 122 of Senate bill 3414.

TOD KILL LINCOLN-MERCURY, INC.

RENO, NEV., March 20, 1958.  
HON. GEORGE W. MALONE,  
United States Senator, Nevada,  
Senate Office Building,  
Washington, D. C.:

Board of directors of Reno Chamber of Commerce earnestly request that you vote against section 122 of Senate bill 3414 which we believe discriminatory and an infringement of States rights.

WILLIAM BRUSSARD,  
General Manager, Reno Chamber of  
Commerce.

LAS VEGAS, NEV., March 20, 1958.  
Senator GEORGE W. MALONE,  
United States Senator,  
Senate Building,  
Washington, D. C.:

I am strongly opposed to section 122, Senate bill 3414, and resent Federal pressure to influence State rights in regulating highway signs. State of Nevada can properly handle this matter. Will appreciate your vote against section 122.

ROACH DISTRIBUTING Co.,  
JAMES E. COSTELLO.

LAS VEGAS, NEV., March 23, 1958.  
Senator GEORGE MALONE,  
Senate Building,  
Washington, D. C.:

We protest section 122 of Senate bill 3414 and solicit your support in defeating it as we feel it would result in widespread unemployment among sign painters and allied trades.

CARL PRUTER,  
Business Representative of Sign and  
Pictorial Painters Local Union,  
1844.

LAS VEGAS, NEV., March 24, 1958.  
Senator GEORGE MALONE,  
Washington, D. C.:

Many of your friends and mine join with me to urge you to defeat amended section No. 122 of Senate bill 3414. We consider the amendment to control outdoor advertising along our public highways another step by our National Government to control that which can be best handled by each State through which the national freeways shall run. Not to mention many other reasons that have direct affect on our national business economy.

JACK YOUNG NEON PRODUCTS.

LAS VEGAS, NEV., March 21, 1958.  
Senator GEORGE W. MALONE,  
United States Senator,  
Senate Building,  
Washington, D. C.:

Will appreciate your vote against section 122, Senate bill 3414. This section would seriously affect tourist industry of southern Nevada. Highway signs can be adequately controlled by State of Nevada without Federal pressure contained in section 122.

BOB GRIFFITH.

RENO, NEV., March 21, 1958.  
Senator GEORGE MALONE,  
Senate Office Building,  
Washington, D. C.:

In regards to Senate bill 3414 to be voted on March 24. The Nevada State Motor Hotel Association in convention March 3, 1958, passed resolution: "NMHA opposes Federal legislation controlling roadside advertising."

PAUL ARGERES,  
Secretary, Nevada Motor Hotel Association.

LAS VEGAS, NEV., March 21, 1958.  
Senator GEORGE W. MALONE,  
United States Senate,  
Washington, D. C.:

Senate bill 3414, providing funds for highway construction, is worthy of your support as an aid to employment. Respectfully request, however, that Senator NEUBERGER's amendment, section 122, be eliminated from bill and control of outdoor advertising signs be left in hands of individual States. Such signs, properly controlled, have definite value to many types of business. Their regulation should be on a local rather than national basis.

HORSESHOE CLUB,  
JOE W. BROWN.



RENO, NEV., March 21, 1958.

Hon. GEORGE MALONE,  
United States Senate,  
Washington, D. C.

DEAR MOLLIE: I urge you to vote against section 122, bill S. 3414. I feel that it is discriminatory against us in the outdoor advertising business. Bessie joins me in regards to yourself and Ruth.

JAY ELLIS.

RENO, NEV., March 19, 1958.

Hon. GEORGE W. MALONE,  
United States Senator, Nevada,  
Senate Office Building,  
Washington, D. C.:

Section 122 of S. 3414, prohibiting outdoor advertising along freeway, would seem another infringement upon States rights. Urge opposition to section 122.

Regards,

OLIVER THOMAS.

RENO, NEV., March 19, 1958.

Senator GEORGE W. MALONE,  
Senate Office Building,  
Washington, D. C.:

Urge you to vote against section 122 of Senate bill 3414, which tends to regulate outdoor advertising on a national basis, as a user of this advertising medium in Nevada. Believe States rights and local zoning should prevail.

LUCE & SONS, INC.,  
WM. LUCE.

RENO, NEV., March 18, 1958.

Senator GEORGE MALONE,  
Senate Office Building,  
Washington, D. C.:

We urgently request voting against section No. 122 of bill S. 3414, we strongly protest this amendment as it is an infringement of States rights and is discriminatory against outdoor advertising. We believe this should be State and local zoning rather than Federal as we in Nevada depend on our number one business—the tourist.

COSGRIFF SIGN COMPANY OF  
NEVADA,  
WALTER McDONALD.

LAS VEGAS, NEV., March 20, 1958.

Hon. GEORGE MALONE,  
Senate Office Building,  
Washington, D. C.:

I am opposed and protest the amendment in section 122 of bill 3414 prohibiting the use of outdoor advertising adjacent to Interstate Highway System. As a businessman and advertiser I contend it is not in the interest of modern business practices to prohibit this useful form of advertising.

ARNOLD CHRISTENSEN,  
Clark County Commissioner.

RENO, NEV., March 18, 1958.

Senator GEORGE W. MALONE,  
Senate Office Building,  
Washington, D. C.

DEAR MOLLY: Understand section 122 of bill S. 3414 relating to elimination of outdoor advertising on all Federal highways will be on Senate floor this coming Monday, I believe it is an infringement on States rights. Each State should be allowed to handle its own zoning. Nevada is a tourist State and I believe would be hurt by this bill. Please advise if I can do anything further.

CHARLES W. MAPES, Jr.

RENO, NEV., March 19, 1958.

Senator GEORGE W. MALONE,  
Senate Office Building,  
Washington, D. C.:

As a user of outdoor advertising for our clients in the State of Nevada, we urge you

to vote against section 122 of Senate bill 3414.

DOYLE-MCKENNA ADVERTISING  
AGENCY,  
GENE MCKENNA,  
HOWARD DOYLE, JR.

LAS VEGAS, NEV., March 20, 1958.

Senator GEORGE W. MALONE,  
United States Senator,  
Washington, D. C.:

Urge you vote against section 122, Senate bill 3414. We are opposed to misuse of Federal funds to induce State to regulate or prohibit highway signs. State of Nevada is qualified to handle this matter in the best interest of property owners, working people, and the primary industries who depend on signs to invite tourists to this area.

NEVADA OUTDOOR ADVERTISING,  
LEO A. ELKINS, President.

LAS VEGAS, NEV., March 20, 1958.

Senator GEORGE MALONE,  
Senate Office Building,  
Washington, D. C.:

As a property owner, taxpayer, and long-time resident of Nevada, I sincerely urge you to vote against section 122, Senate bill 3414. Please protect my job as well as jobs of hundreds of fellow workers. Passage of this section 122 will only swell the unemployment rolls.

Respectfully,

Mrs. L. D. WREN.

WHITNEY, NEV., March 18, 1958.

Mr. GEORGE MALONE,  
United States Senate:

As one of our Senators of our great State of Nevada, I wish to ask you a small favor in support of some of us people that make our country what it is. The Senate is voting on bill 3414 March 24, introduced by Senator Gore, which will help a lot of people.

But the amendment No. 122 should not be even included at this time. What right has a few men to take away some of the better things the American people enjoy? It's our livelihood to hundreds of us. We are all anxious to see work and progress, but section 122 in bill 3414 is all out of reason. Advertising should be governed, but it's State, county, and city, not a national law.

I am in favor of bill No. 3414 but I hope you do not vote for the section No. 122 of it. Would like for you to support bill No. 3414 but not section 122.

Thanking you and trusting you will do your utmost to help us small people exist.  
Yours truly,

LAVERNE HAWKINS.

RENO, NEV., March 19, 1958.

Senator GEORGE W. MALONE,  
Senate Office Building,  
Washington, D. C.

DEAR MOLLY: I have had calls from interested people indicating that Senator NEUBERGER's bill, Senate bill 3414, restricting poster advertising along national highways will come up for vote next Monday. There seems to be considerable opposition, which I believe I can understand, to section No. 122 of this bill, and I should like to add my voice—as a highway advertiser—to theirs in opposition to this restriction.

Another angle: It appears that NEUBERGER, representing the Federal Government, is trying to take on another function that should be handled by the States. I hope you are opposed to it.

Regards,

JOHNSON CHEVROLET Co.,  
MARSH JOHNSON.

P. S.: Thanks for your wire regarding excise tax legislation. I still think it is a crying shame that these excise taxes are not eliminated immediately.

LAS VEGAS, NEV., March 21, 1958.

Hon. GEORGE MALONE,  
Senate Office Building,  
Washington, D. C.

MY DEAR MOLLY: On Monday, March 24, our United States Senate, we understand will vote on Senate bill 3414. This bill, introduced by Senator GORE, of Tennessee, provides additional foundation for speed of the Interstate Highway System as an aid to the existing system, etc. This is a worthy purpose and one which will probably receive popular support, however, we note that Senator NEUBERGER, of Oregon, and other opponents of outdoor advertising signs have attached an amendment, section 122, having for its purpose the elimination of outdoor advertising along the Interstate System. It provides an inducement to increase the 90 percent Federal share of the cost of construction by one-half of 1 percent if a State acts to curtail billboards or highway signs within 600 feet of the edge of the right of way. Outdoor or advertising signs for years have been recognized as good mediums by all local and national advertisers, and we feel have a proper place in the business life of the Nation. There are those who would eliminate commercials from radio and television because it is unpleasant to them. However, we do not agree. We believe, MOLLY, that you are well informed of what the opposition to this medium presents, such as prohibiting the view of scenic vivification and so forth, but these boards do not to any degree obstruct view to service stations, garages, and other types of roadside businesses.

We are convinced that this medium helps all businesses and enables advertising men to get their message across to the buying public to create and entice within and motivate the openings of their purse strings, which we need not say to you that this no doubt is good for the economy.

MOLLY, there are hundreds of people working and owning outdoor advertising businesses, skilled workers, office workers, maintenance men, who contribute generously of their space to contribute to support the Red Cross, Community Chest, Traffic Safety, Cancer Fund, Heart Fund, etc.

Outdoor advertising helps the resort hotels, the gambling industry, which is the backbone of our State. They have been proven to be an invaluable aid to induce people to come to Las Vegas and southern Nevada.

We are asking you, providing you agree, to vote against section 122, bill 3414. We are opposed to the payment of extra money to any State as an inducement to prevent highway signs and force us out of business. Let the individual States handle all their own necessary billboard regulations.

The time is short and in our busy life here, my only regret is that we did not contact your office sooner. At your convenience, I would appreciate an expression as to how your office feels concerning the above mentioned matter.

Very respectfully yours,

PIONEER DISPLAYS Co., INC.  
JOHN DELUCAS, President.

LAS VEGAS, NEV., March 19, 1958.

Senator GEORGE MALONE,  
United States Senate,  
Washington, D. C.

DEAR GEORGE: I have recently read that a bill will soon go before the United States Senate for vote which, should it be passed, will provide additional funds for the construction of the Interstate Highway System. This appears to me to be a most worthy purpose.

I do feel, however, that the attached amendment, section No. 122, which provides for the control and even the possible elimination of highway signs along the Interstate system is not justifiable as it now stands



since its provisions not only ignore the individual State's ability to control and regulate highway advertising, but also interferes with private business' inherent right to act competitively by not permitting them to advertise their establishments or merchandise to travelers within commercial areas.

We have used outdoor highway advertising for the greater part of the time that we have been in business and find that it is essential not only to our business but also to the community which, through outdoor advertising, is able to show the traveler what that community has available.

I feel strongly also that the individual property along the right-of-way has and should have the right to permit highway signs to be constructed on his property and receive any income available from leases or rent on such signs.

It would be greatly appreciated if you would give your sincere consideration to eliminating the undesirable provisions of section 122 of the Senate bill 3414.

Sincerely yours,

SMITH & CHANDLER, INDIAN TRADERS,  
KENNETH N. CHANDLER.

JONES & PURSELL,

Las Vegas, Nev., March 19, 1958.

HON. GEORGE W. MALONE,  
United States Senator, Senate Office  
Building, Washington, D. C.

DEAR MOLLY: About a year ago I had occasion to write you protesting the inclusion within the Federal highway bill of a clause prohibiting outdoor advertising on property bordering the Interstate Highway System.

I am now advised that the emergency bill now before Congress, Senate bill 3414, contains a provision prohibiting outdoor advertising on property adjacent to the new Federal highway.

I consider this prohibition against advertising to be very detrimental to the interests of several of my clients and to the public at large. As you may well know, many Nevada businesses depend for their patronage almost entirely upon the appeal of outdoor advertising signs. Not only that, but many property owners in these sparsely settled Western States, particularly where the properties are unimproved, depend upon the revenue they receive from outdoor advertising signs to pay the taxes on their property. Without this revenue, in many instances, their properties would become worthless and taxes would be in default. The outdoor advertising business is an established business in America and provides a useful service to our free-enterprise system. Our motels, hotels, liquor and gaming industries rely heavily upon this form of advertising. I earnestly urge that you cast your vote to defeat this rider to Senate bill 3414.

I would like to say, however, with the exception of this rider against advertising, I am highly in favor of the passage of the bill.

Respectfully yours,

ROBERT E. JONES,  
Attorney at Law.

ROBINSON HOTEL APARTMENTS,

Las Vegas, Nev., March 20, 1958.

Senator GEORGE W. MALONE,  
United States Senator, United States  
Senate Building, Washington, D. C.

DEAR SENATOR MALONE: As a property owner, I am very much opposed to Federal pressure and use of Federal funds to influence States rights to regulate signs on private property along interstate highways.

I request you vote against section 122, Senate bill 3414.

Very respectfully yours,

W. S. ROBINSON.

THE MELVIN Co., Inc.,

Las Vegas, Nev., March 20, 1958.

Senator GEORGE W. MALONE,

Senate Building, Washington, D. C.

DEAR SENATOR MALONE: I strongly urge your negative vote to section 122 of Senate bill 3414 which comes up for vote on March 24. Passing of this section will cause severe damage to the economy of the major industry of advertising and will hurt bad enough to balance the good that bill 3414 is intended to do in helping the present recession.

Should section 122 be passed, it will be necessary for hundreds of outdoor advertising companies throughout the country to curtail their personnel and even force many small companies out of business.

It will result in the loss of thousands of dollars to major industries who have prepared outdoor campaigns and went to the expense of having their advertising agencies produce such advertising.

It will also further the curtailment of personnel of many advertising agencies throughout the country and severely damage their financial condition.

Having been in the advertising business for 25 years, I am qualified to advise you that the present State and local laws all over the country, and particularly in Nevada, are supposed to prohibit unnecessary advertising signboards.

Further, such regulatory stipulations as planned in this amendment will only lead to illegal posting of signs, which in the advertising industry is called "sniping". Such "sniping" results in far more cluttered up highways than under normal advertising boards being allowed with legal licenses issued by State, county, and city governments under proper laws and ordinances.

I strongly urge both you and Senator BIBLE to cast a negative vote.

With best personal regards.

Very respectfully yours,

JACK MELVIN,  
President.

TAYLOR & GUBLER,

Las Vegas, Nev., March 19, 1958.

Senator GEORGE W. MALONE,  
Senior Senator from Nevada,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR MALONE: It is my understanding that Senate bill 3414 introduced by Senator GORE of Tennessee, for the purpose of providing additional funds for the construction and acceleration of the building of the Interstate Highway System to combat recession and to aid employment, together with an amendment proposed by Senator NEUBERGER, of Oregon, for the purpose of controlling or eliminating outdoor advertising along the Interstate Highway System, such amendment being section 122 of the bill, will be voted on in the United States Senate next Monday, March 24. I am heartily in favor of Senate bill 3414 for the reason that I believe that it will materially assist in accomplishing the objects sought including the facilitation of the construction of the highway system, which I am certain will be of great assistance to the United States economically, militarily and otherwise. I am equally strongly opposed to section 122 for the following reasons:

(a) In my opinion the same is an unnecessary encroachment on the right of the States to govern their domestic affairs; and

(b) It is my opinion that permitting outdoor advertising along the Interstate System will benefit all concerned (1) the traveling public, by supplying means of information as to desirable lodging, eating and other business establishments, (2) the owners of

vacant property along the highway system by providing some means of income with which to help defray taxes and other expenses incident to the ownership of vacant land, and (3) residents and business people, particularly in the State of Nevada, which is so dependent on tourist traffic, by affording them the opportunity to advertise their places of business and to encourage patronage by the traveling public.

In addition, it is my opinion that advertising of this type is essential to the success of roadside businesses which are so integrally a part of our economy. Most of us recognize that there have been abuses in outdoor advertising and resultant detractors from the natural beauty of the countryside. However, it is my feeling that the problem is one for State and county regulation and that prohibiting billboards in other than commercial zones or districts, as is the rule under the county zoning ordinance in Clark County, affords a satisfactory solution.

I shall appreciate very much your giving consideration to the foregoing and in the event you deem proper, shall appreciate your vote in favor of Senate bill 3414 and against section 122.

Sincerely yours,

V. GRAY GUBLER,  
Attorney at Law.

Mr. MALONE. Mr. President, the cooperation of the States in any Federal program is indispensable.

It is imperative to respect the rights of such States and leave all power possible to the respective legislatures to coordinate the Federal-State interests.

The State control of advertising fitting the area's needs and the taxpayer's wishes into the building program is very important to Federal-State relations.

The PRESIDING OFFICER. The time of the Senator from Nevada has expired.

Mr. KUCHEL. Mr. President, I am prepared to yield 5 minutes to the distinguished senior Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

Mr. THYE. Mr. President, I have always had a strong feeling that States should be privileged to govern themselves. I think, however, the national highway system is of great importance, and I believe the bill as reported by the committee safeguards the States' positions, and also gives to the States certain credit if they cooperate with the National Government to keep under proper control certain areas immediately adjacent to the road right-of-way. It is for those reasons that I shall speak briefly on the proposal.

Mr. President, I am in full support of the accelerated construction features of the pending proposal, and I think that this expanded program is something which is needed to bolster our Nation's economy. I do not hesitate to give my unqualified support to the construction features of S. 3414, and there has never been any question in my mind on this count.

Section 12 of this bill, however, has aroused a great deal of public interest, and I am sure that my colleagues have received hundreds of letters and tele-



grams, as I have, concerning the question of regulating advertising along the Federal Interstate System. This question does not present a clear-cut issue, and it is difficult to say that it can be answered with a simple yes or no.

I should like to point out that I am supporting the bill as amended in committee so as to provide an additional Federal reimbursement to the States for costs of acquiring easements along the Federal Interstate System. I want to emphasize the point that section 12 of this bill does not apply to the regular Federal-aid primary, secondary or urban systems. It applies only to the Federal Interstate System authorized in the Federal Aid Highway Act of 1956.

I wish to present some significant facts regarding section 12. It should be emphasized that the States retain decision as to whether highway advertising will be regulated within their borders on the Interstate System. This regulation is not to be imposed by the Federal Government, according to the provisions of section 12.

A bonus of one-half of 1 percent of the Federal contribution toward the construction costs of the Interstate System will be provided if a State decides to enter into an agreement with the Secretary of Commerce to establish regulation of advertising. Section 12 proposes that these regulations would extend to an area of 660 feet on each side of the right-of-way. The State can be reimbursed by an amount equal to 5 percent of the cost of the easements on this land.

Section 12 does not propose to eliminate all signs along the Interstate System.

First. Official signs authorized or required by law and signs erected according to the provisions of State law designed to give information in the interest of the traveling public would be permitted.

Second. Signs advertising the sale or lease of property upon which they are located will be permitted.

Third. Signs no larger than 500 square inches advertising activities at locations within 12 miles of such a sign would also be permitted.

This last provision would give an opportunity for business concerns such as hotels, motels, and restaurants to inform the traveling public of the services which they have to offer.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. THYE. Mr. President, will the Senator yield to me an additional 2 minutes?

Mr. KUCHEL. I yield 2 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for an additional 2 minutes.

Mr. THYE. Mr. President, the possibility that the regulation of highway advertising would lead to unemployment in the advertising business has caused me some concern. In this respect, however, it appears to me that the provision for an accelerated construction program on all Federal-aid highways will provide

a new market for highway advertising signs in the unrestricted phase of the Federal highway program.

In conclusion, it appears to me that when S. 3414 is considered in its entirety, as reported by the committee, it is worthy of my support. I should like to see some regulation of highway advertising along the control access Federal Interstate System, but I would not support such regulation if I could foresee its working a hardship on businesses serving the traveling public or if it caused undue hardship among those who earn their living in the advertising business. It is my sincere conviction that S. 3414 will not result in such hardships, and will at the same time provide for a reasonable means of preventing unrestricted use of the Interstate Systems' right-of-way for outdoor advertising.

For the reasons I have given I could not support the amendment of my good friend and distinguished colleague, the Senator from Oklahoma [Mr. KERR], but I do intend to support the bill as reported from the Public Works Committee.

Mr. President, I ask unanimous consent that a few letters and telegrams which I have received be printed in the RECORD at this point in my remarks to illustrate the views of individuals and businessmen in my State of Minnesota with regard to the question of regulating highway advertising.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. THYE. Mr. President, will the Senator yield me 1 additional minute?

Mr. KUCHEL. I yield 1 minute to the Senator from Minnesota.

Mr. THYE. Mr. President, some of my very best friends in the business field have opposed any restriction, as will be found in the group of letters and telegrams which I ask unanimous consent to have printed in the body of the RECORD as a part of my remarks.

Equally, Mr. President, there are those who by telegram and letter have supported regulation.

I ask unanimous consent that all the letters and telegrams be printed in the body of the RECORD.

There being no objection, the letters and telegrams were ordered to be printed in the RECORD, as follows:

GORDON ELECTRIC CO.,

Albert Lea, Minn., February 18, 1958.

Hon. EDWARD THYE,

Senate Office Building,  
Washington, D. C.

DEAR SIR: In the past several months I have been reading a great deal about the proposed legislation to eliminate advertising of any type along the new interstate highway systems. As a merchant and land owner who would be affected by this legislation, I wish to take this opportunity to ask that you do not pass any legislation that would eliminate outdoor highway advertising.

I know that there are many arguments, both for and against, eliminating outdoor advertising, but it seems to me that the one important basic argument is that the passage of such a bill would be discriminatory against a very important segment of our business world. I for one would certainly object to passing laws which would be harmful to any one part of our economy.

I might add that I personally am not a strong believer in a lot of outdoor advertising and we do very little of this type of advertising ourselves. I do believe that it is a fundamental right of people to choose the methods of advertising which they want to use, and the right of land owners to determine how they should use their property. Any restrictive legislation which would limit these rights would have a negative effect on our economy and would also be another step backward in limitation of our individual freedoms of action.

I respectfully request that you do everything in your power to defeat any proposed legislation to eliminate this type of advertising.

Respectfully yours,

BERT L. GORDON.

ST. PAUL, MINN., March 25, 1958.

Hon. EDWARD J. THYE,

Senator From Minnesota, Senate Office  
Building, Washington, D. C.:

If section 122 is not deleted from Senate bill 3414, many thousands of jobs are in peril not only in our own company but thousands of small-business operators throughout the Nation trying to exist in the outdoor advertising business and keep their men employed. This is certainly no time for Congress to consider discriminatory controls that will destroy legitimate American enterprise and place more men on the relief rolls.

With your apparent long-standing interest in small business we must expect that your vote on this question will be cast in their interests and in the retention of jobs for those who, if this bill passes, will be among the already too large lists of unemployed. I strongly urge your vote against this measure and your wholehearted effort to see that it is defeated.

A. E. EGGERT, Vice President.

MINNESOTA MINING AND  
MANUFACTURING Co.,

DULUTH, MINN., March 18, 1958.

Hon. EDWARD J. THYE,

Washington, D. C.:

The Duluth Hotel Association recommends the Gore bill No. S. 3414, but strongly disapproves of Neuberger amendment section 122 as discriminatory to certain businesses requiring billboard advertising.

SPALDING HOTEL,  
C. R. MCLEAN, Jr.

MINNEAPOLIS CENTRAL LABOR UNION,

Minneapolis, Minn., March 18, 1958.

Hon. EDWARD THYE,

Senate Office Building,  
Washington, D. C.

DEAR SENATOR THYE: The Minneapolis Central Labor Union is strongly opposed to the enactment of a proposed amendment to the Federal-Aid Highway Act known as Senate bill 3414 regulating outdoor advertising.

While the act itself is in the best interest of the entire economy of our Nation, and will go a long way toward halting the recession in which we now find ourselves, the amendment would have just the opposite reaction on our economy.

Therefore, we urge that you do everything within your power to defeat the proposed legislation because of the adverse affect this amendment will have on our membership.

Very truly yours,

WALTER R. CRAMOND, President.

CORN BELT DISPLAY,

Fairmont, Minn., March 20, 1958.

Hon. EDWARD J. THYE,

United States Senator from Minnesota,  
Senate Office Building,  
Washington, D. C.

Hon. SENATOR THYE: Section 122 of Senate bill 3414 which is expected to come be-



fore the Senate on March 24, would be a death blow to free enterprise in our State of Minnesota and all other States in the Union. This section will give the Federal Government control of private ownership, and if allowed to pass will be the beginning of the end of our constitutional rights.

All we ask is that these rights be preserved by the defeat of section 122 of Senate bill 3414.

Yours very truly,

RODNEY BRANDT,  
KENNETH E. EVANS,  
Partners.

VIRGINIA, MINN., March 20, 1958.  
Senator EDWARD THYE,  
Washington, D.C.

Opposing section 122 Gore bill, a crippling blow to our tourist trade on the Iron Range.  
POHAKI LUMBER CO.

ROCHESTER, MINN., March 18, 1958.  
Senator EDWARD J. THYE,  
Senate Office Building,  
Washington, D.C.:

Please oppose section 122 and ask that it be stricken from Senate bill 3414 when it comes before the Senate for vote next week. We vigorously oppose this section only of the bill and are writing in detail by letter today our reasons.

NAEGELE SIGN CO.,  
B. W. VOGEL, Vice President.

MOORHEAD, MINN., March 20, 1958.  
EDWARD J. THYE,  
Senate Office Building,  
Washington, D.C.:

Regarding section 122 to the Gore bill (S. 3414) please do not legislate our small business out of business. We feel this bill is vicious, discriminatory and very unfair to so many big and small businesses alike. Polls taken prove that the majority of the public wants highway signs and the loss would be tremendous to many.

Trusting yours,

HEGLAND SIGN CO.,  
ANTON HEGLAND.

MINNEAPOLIS, MINN., March 24, 1958.  
Hon. Senator ED THYE,  
Senate Office Building,  
Washington, D.C.:

Representing the Minnesota Federation of Garden Clubs with a membership of 3,000 we urge you to vote in favor of Government billboard control.

FEDERATED GARDEN CLUBS  
OF MINNESOTA,  
MRS. FRED MULTALER, President.

FAIRMOUNT, MINN., March 21, 1958.  
Senator THYE,  
Washington, D.C.

MY DEAR SENATOR THYE: I am thoroughly opposed to billboard advertising on our national highways. Billboards look cheap, they prevent an untrammelled view of the beauties of nature and their being placed on curves prevent drivers from seeing what is coming. I trust you will vote against them.

Yours truly,

MRS. MARCUS E. TEETER.

HASTINGS, MINN., March 24, 1958.  
Hon. ED THYE,  
Senator from Minnesota,  
Senate Office Building,  
Washington, D.C.:

Urge your support for amendment Senate bill 3414 for billboard control section 12. Consider imperative that control measure accompany speedup legislation for highway building which we are sure you support.

LAWS VALLEY VIEW NURSERIES,  
KEN LAWS.

ST. PAUL, MINN., March 24, 1958.

Hon. EDWARD THYE,—  
United States Senate,  
Washington, D.C.:

Pleased to hear of the speedy consideration of Senate bill No. 3414. I strongly urge the retention of section 12 of this bill as now written.

Respectfully yours,

J. V. BAILEY NURSERIES,  
VINCENT K. BAILEY.

ST. PAUL, MINN., March 24, 1958.  
Senator EDWARD THYE,  
Washington, D.C.:

Keep amendment in highway bill and do not weaken it.

MRS. TRUMAN P. GARDNER,  
President, St. Paul Garden Club.

MOUND, MINN., March 21, 1958.  
Senator EDWARD THYE,  
Washington, D.C.:

Appreciate your support of bill to keep billboards off Federal highways.

Mr. and Mrs. DICK GALE.

WAYZATA, MINN., March 21, 1958.  
Hon. EDWARD J. THYE,  
Senate Building,  
Washington, D.C.:

Urge you to keep billboard amendment in the highway bill.

MRS. DONALD D. DAVIS,  
MRS. STANLEY PARTRIDGE,  
MRS. L. B. NEWELL,  
MRS. DWIGHT YERKA,  
MRS. FRANK PLANT,  
MRS. PHILIP WINSTON.

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time being charged against either side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRINTING OF ADDITIONAL COPIES OF INTERIM REPORT OF SELECT COMMITTEE ON IMPROPER AC- TIVITIES IN THE LABOR OR MAN- AGEMENT FIELD

Mr. McCLELLAN. Mr. President, I ask unanimous consent that I may make a unanimous-consent request, and that the time not be charged to either side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and it is so ordered.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Resolution 279.

The PRESIDING OFFICER. The resolution will be stated for the information of the Senate.

The resolution (S. Res. 279) was read, as follows:

Resolved, That there be printed for the use of the Select Committee on Improper Activities in the Labor or Management Field 2,500 additional copies of the committee's interim report to the Senate pursuant to Senate Resolutions 74 and 221, 85th Congress.

The PRESIDING OFFICER. Is there objection to the unanimous present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCLELLAN. Mr. President, I have consulted with both the majority and the minority leader. From their viewpoint there is no objection.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 279) was agreed to.

#### FEDERAL-AID HIGHWAY ACT OF 1958

The Senate resumed the consideration of the bill (S. 3414) to amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes.

Mr. KUCHEL. Mr. President, I yield 5 minutes to the distinguished junior Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 5 minutes.

Mr. NEUBERGER. I thank my friend from California.

Mr. President, as discussion of the billboard regulation proposal comes to a climax, I believe certain aspects of the issue might be emphasized and clarified.

We have heard today opponents of the billboard regulation proposal contend that we are involved in a question of States rights. They charge that the measure jointly sponsored by the distinguished Senator from California and me is an invasion of States rights. They say the matter should be left entirely to the States, and the Federal Government should take no interest whatsoever in the problem.

Mr. President, I want to emphasize the particular point that, as a former member of the State legislature of one of the great States of the Pacific Northwest, when I was a member of the Oregon State House of Representatives in 1941, I sponsored the first billboard control measure ever offered in that body. As a member of the Oregon State Senate some 10 years later, I sponsored, jointly with my wife, who was then a member of the Oregon House of Representatives, another billboard control measure. In that particular field we were trying to regulate signboards at the State level.

What did the billboard lobby do then? In the Oregon State capital of Salem the billboard representatives said, "This is an invasion of the rights of municipalities, of counties, and of localities." In other words, Mr. President, the billboard people simply do not want any regulation at all.

In the Congress of the United States they say, "Leave it to the States." In the State capitol of the State of Oregon



they said, "Leave it to the counties, and leave it to the municipalities."

Mr. President, the Federal Government is going to pay 90 percent of the cost of these highways. The Federal Government through the Bureau of Public Roads is to specify standards of construction for the highways. It seems to me reasonable and logical—just as logical as that the night shall follow the day, to use a very trite expression—that the Federal Government should take some interest in the protection of the scenery along the roadsides of the 41,000 miles of interstate highways.

Mr. President, I want to stress another fact which must be in the minds of Senators when we vote this afternoon. We are talking about limited access highways. We even had some protest about that when we were considering the original interstate highway bill several years ago, when it was sponsored by the Senator from Tennessee and some of the rest of us. These are limited access roads. No motel can have access to these roads. No restaurant can have access. Not even a farmer who owns land beside the road can drive out on these limited access interstate highways.

It perhaps will be true that some farmer or rancher near these roads will have to drive 8, 10, 12, 20, or even 25 miles to an interchange where he can go through a cloverleaf to the new highways. In other words, no business is going to have access to these roads. Restaurants will not. Hotels will not. Motels will not. The farmer who owns land beside the road will not.

But we are told in the Senate today we should defeat the Kuchel-Neuberger amendment in the bill, so there will be one exception—so there will be one business only which will be permitted to have access to these roads. What business is that Mr. President? It is the signboard business. They want access to the roads through visibility.

If we allow signboards along the interstate highways we will be saying, "Motels, restaurants, farms, and ranches cannot have access to these limited access highways, but the billboard business can have access through the huge, massive signs which the motorists will have to see as they drive along the highways."

I want to point out a further fact before I conclude this brief presentation, and that is the fact that the motorists will be delivered over to the signboard industry and to the outdoor advertising industry as a captive audience unless the Kuchel-Neuberger amendment is left in the bill which is presently before us.

When members of the American public buy their morning newspapers they are not compelled to read the advertisements.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. NEUBERGER. Will the Senator from California yield me 1 more minute?

Mr. KUCHEL. I yield 1 more minute to the Senator from Oregon.

Mr. NEUBERGER. When members of the American public buy their weekly or monthly magazines, they are not compelled to read the advertisements. We

are not compelled to listen to radio commercials. We can turn our eyes away from television commercials. But when one is driving over the 41,000 miles of the Interstate System, if he does not look at the signboards on that system he risks death for himself and the other occupants of his car, and everyone else on the highway at that time.

In conclusion, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, some very effective, pertinent, and informed messages which I have received from people in my State and in the State of California who share our desire to protect the roadsides along the Interstate Highway System.

I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks some very effective newspaper editorials from the Portland (Oreg.) Oregonian, the Denver (Colo.) Post, the Detroit (Mich.) News, the St. Petersburg (Fla.) Times, and the Adirondack (N. Y.) Daily Enterprise.

There being no objection, the communications and editorials were ordered to be printed in the RECORD, as follows:

DOD RANCHO,

SANTA FE, CALIF., March 24, 1958.

Senator RICHARD L. NEUBERGER,  
Senate Office Building,  
Washington, D. C.:

As president of this resort hotel, I am strongly against all road signs not specifically designed for the safety and convenience of the motoring public. Users of the highways should not be treated as a captive audience. Scenery is the chief asset of the tourist industry and the public should be allowed to enjoy it. This corporation is a heavy buyer of legitimate advertising but we do not use billboards because they damage our business. I heartily endorse the fight for proper regulatory legislation.

CLIFFORD C. EWING,

President, La Valencia Hotel Corp.  
of La Jolla, Calif.

MEDFORD, OREG., March 19, 1958.

THE SENATE PUBLIC WORKS COMMITTEE,  
Washington, D. C.

DEAR SIR: We came across the plains of western Texas in 1925, where the billboards were used as outhouses. That is the only useful purpose that I have known them to serve.

We no longer need them in that capacity. Please allow us to enjoy unobstructed views of our beautiful scenery.

Tourists long to get away from billboards, and Oregon wants tourists.

Yours very truly,

ETHEL M. THOMPSON  
(Mrs. Horace).

PORTLAND, OREG., March 20, 1958.

Senator RICHARD L. NEUBERGER,  
Senate Office Building,  
Washington, D. C.:

At the March 18 meeting of the American Institute of Architects, Oregon Chapter, Inc. (members over 200), a resolution was unanimously passed supporting the proposed amendment, section 122 of Federal-Aid Highway Act of 1956 for billboard control.

ROBERT C. DOUGLAS,  
Secretary.

PORTLAND, OREG., March 19, 1958.

Hon. RICHARD L. NEUBERGER,  
United States Senator,  
United States Senate,  
Washington, D. C.:

All success to you and Senator KUCHEL in your concern for the preservation of one of our most important natural resources, the peace and beauty of our countrysides, as we

are entitled to enjoy them from our highways.

Sincerely,

GLENN STANTON,  
Fellow of the American Institute of  
Architects.

CORVALLIS, OREG., March 25, 1958.

Senator RICHARD L. NEUBERGER,  
Washington, D. C.:

Eighty-five hundred members urge your support of billboard section pending legislation controlling billboard on major highways. This is an important part of our State program.

OREGON FEDERATION GARDEN  
CLUB,

Mrs. A. O. FLOYD,

President.

Mrs. B. I. BRADER,

Vice President.

MEDFORD, OREG.

PORTLAND, OREG., March 20, 1958.

Hon. RICHARD NEUBERGER,  
Senate Office Building,  
Washington, D. C.:

We know you are doing everything possible to keep billboard amendment in highway bill. We strongly endorse and appreciate your efforts.

Mrs. HEDLEY HILL,  
President, Portland Garden Club.

CORVALLIS, OREG., March 25, 1958.

Senator RICHARD L. NEUBERGER,  
Washington, D. C.:

Santiam District Garden Club members urge your support on billboard legislation opposing billboard on Oregon highways.

Mrs. J. W. SCHEEL,  
Santiam District Director, Oregon  
Federation Garden Club.

MEDFORD, OREG., March 25, 1958.

Senator RICHARD NEUBERGER,  
Senate Office Building,  
Washington, D. C.

DEAR MR. NEUBERGER: I represent the 24 garden clubs of Siskiyou District No. 4, of the Oregon Federation of Garden Clubs, Inc., with a membership of over 800. We wish to support legislation controlling advertising along interstate highways.

Mrs. IRA FITZGERALD,  
Siskiyou District, Director.

PORTLAND, OREG., March 20, 1958.

Senator RICHARD NEUBERGER,  
Senate Office Building,  
Washington, D. C.:

Congratulations on billboard amendment. Hope for adoption with no further weakening.

Mrs. GEORGE J. BEGGS.

PORTLAND, OREG., March 21, 1958.

Hon. RICHARD L. NEUBERGER,  
Senate Office Building,  
Washington, D. C.:

Giving our wholehearted support to your billboard legislation.

(Mrs. C. M.) HARRIET B. BISHOP.

PORTLAND, OREG., March 20, 1958.

Senator RICHARD NEUBERGER,  
Senate Office Building,  
Washington, D. C.:

Billboard control essential to modern freeways. We captive-audience motorists wish to enjoy our beautiful country. Good luck.

LEWIS P. CRUTCHER.

SHERWOOD, OREG., March 24, 1958.

Hon. RICHARD L. NEUBERGER,  
Senate Office Building,  
Washington, D. C.:

Please accept our thanks your active support, section 12, bill 3414.

MARY ELWERT,  
Tualatin Valley Nurseries.



PORTLAND, OREG., March 24, 1958.  
 Senator RICHARD NEUBERGER,  
*Senate Offices,*  
*Washington, D. C.:*  
 Asking your support on section 12, Senate bill 3414.

JUNAYS GARDEN CENTER.

PORTLAND, OREG., March 25, 1958.  
 Senator RICHARD NEUBERGER,  
*Senate Office Building,*  
*Washington, D. C.:*  
 Reference to section 12, bill 3414, to ban billboards on freeways our firm is backing this bill.

KLUPENGER NURSERY,  
 J. H. KLUPENGER.

PORTLAND, OREG., March 24, 1958.  
 Hon. RICHARD NEUBERGER,  
*Senate Office Building,*  
*Washington, D. C.:*  
 We urge your support of section 12, Senate bill 3414. Anything you can do to assist in the passage of this bill will be greatly appreciated.

R. V. VAN HEVELINGEN.

TROUTDALE, OREG., March 24, 1958.  
 Hon. RICHARD NEUBERGER,  
*Senate Office Building,*  
*Washington, D. C.:*  
 We earnestly support section 12, Senate bill 3414, on highway signs. Your effort will be appreciated.

J. FRANK SCHMIDT & SONS.

HILLSBORO, OREG., March 24, 1958.  
 Senator RICHARD NEUBERGER,  
*United States Senate,*  
*Washington, D. C.:*  
 Commend your stand re billboards. Strongly urge passage section 12, S. 3414.  
 RICH & SONS NURSERY,  
 SAM RICH.

PORTLAND, OREG., March 24, 1958.  
 Hon. RICHARD L. NEUBERGER,  
*Oregon Senator,*  
*Senate Office Building,*  
*Washington, D. C.:*  
 Request your full support section 12, Senate bill 3414.

PACIFIC COAST NURSERY,  
 MARTIN HOLMASON.

PORTLAND, OREG., March 24, 1958.  
 Hon. RICHARD NEUBERGER,  
*Senate Office Building,*  
*Washington, D. C.:*  
 We earnestly request your full support of section 12, Senate bill 3414.

PORTLAND WHOLESALE NURSERY CO.

FAIRVIEW, OREG., March 24, 1958.  
 Senator RICHARD L. NEUBERGER,  
*Senate Office Building,*  
*Washington, D. C.:*  
 Urge your support for section 12, Senate bill 3414, to prevent despoiling of natural beauty along our highways.

A. MCGILL & SON.

MILTON, OREG., March 24, 1958.  
 Senator RICHARD L. NEUBERGER,  
*Senate Office Building,*  
*Washington, D. C.:*  
 We urge you to support section 12, Senate bill 3414, and thus preventing the spoiling of the natural beauty along our highways.  
 MILTON NURSERY CO.

PORTLAND, OREG., March 24, 1958.  
 Hon. RICHARD NEUBERGER,  
*Senate Office Building,*  
*Washington, D. C.:*  
 To keep Oregon green we urge your active support of section 12, Senate bill 3414.  
 DOTY & DOERNER, INC.,  
 PAUL E. DOTY.

ST. HELENS, OREG., March 24, 1958.  
 Senator RICHARD NEUBERGER,  
*Senate Office Building,*  
*Washington, D. C.:*  
 Asking your support on section 12, Senate bill 3414, our opinion is vital to beauty of our highway.

E. P. DERING.

SCAPPOOSE, OREG.

PORTLAND, OREG., March 24, 1958.  
 Senator RICHARD NEUBERGER,  
*Senate Office Building,*  
*Washington, D. C.:*  
 To protect the public's investment in our new modern highway system and to assure that the beauty of these highways are not marred by a polyglot of unsightly signboards. We most emphatically urge that you vote for passage of the billboard control bill.

MRS. A. O. FLOYD,  
 MRS. BERNIE I. BRADER,  
 MRS. E. G. TAYLOR,  
 MRS. T. R. FETTIS,  
 MRS. LYLE BAYNE,

State Officers of the Oregon Federation of Garden Clubs, Inc.

PORTLAND, OREG., March 24, 1958.  
 Senator RICHARD NEUBERGER,  
*Senate Office Building,*  
*Washington, D. C.:*  
 To protect the public's investment in our new modern highway system and to assure that the beauty of these highways are not marred by a polyglot of unsightly signboards. We most emphatically urge that you vote for passage of the billboard control bill, S. 3414.

PORTLAND DISTRICT, THE OREGON  
 FEDERATION OF GARDEN CLUBS.  
 MRS. MARVIN R. AMBUHL,  
 State Roadside Chairman.

SAN FRANCISCO, CALIF., March 26, 1958.  
 Senator RICHARD NEUBERGER,  
*Senate Office Building,*  
*Washington, D. C.:*  
 Please keep up your fight against roadside advertising. It is pernicious form of publicity. The roadside advertising association is essentially a lobby working in all States and with the Federal Government. It is largely backed by Minnesota Mining & Manufacturing Co., of St. Paul, Minn., any costs of the association above, dues is contributed by three thousand. The outdoor advertising association is also very active in lobbying. I hope you can prevent or at least control roadside advertising by your amendment.  
 WILLIAM SEARIGHT.

TOLEDO, OHIO.

SALEM, OREG., March 19, 1958.  
 Senator RICHARD NEUBERGER,  
*United States Senate.*  
 DEAR SIR: As a member of a garden club I wish to commend you for your stand against billboards on the public highways and hope you will continue to work against them.

SUE H. VAN CLEVE  
 MRS. JOSEPH B. VAN CLEVE.

[From the Portland Oregonian]  
 BILLBOARD FATE AT HAND

A compromise provision worked out under the bipartisan leadership of Senator RICHARD L. NEUBERGER (Democrat, Oregon) and Senator THOMAS F. KUCHEL (Republican, California), represents the furthest advance Congress has yet made toward establishing a Federal interest in preventing excessive billboard invasion of rural roadsides.

By a narrow margin of 7 to 6, the Senate Public Works Committee has retained the Neuberger-Kuchel billboard control features of the new highway bill. The legislation now goes to the Senate floor, where the bill-

board section will have heavy opposition. Failure there could be fatal to billboard regulation along much of the projected 41,000 miles of interstate freeway.

The bill would not apply Federal controls. It would merely encourage application of State controls by offering a Federal premium therefor. Without such encouragement it is unlikely that many legislatures will act in 1959 sessions in time to have effect on initial sections of the cross-country network. The United States Senate may thus within the next few days settle the fate of billboard regulation along the Interstate System.

[From the Denver Post of March 20, 1958]

#### THE FIGHT TO PRESERVE SCENERY

Presumably because they are not interested in scenic grandeur, Senators KERR, of Oklahoma, and HRUSKA, of Nebraska, are bent on amending the United States highways bill to delete what is left of its anti-billboard measures. Senators KUCHEL, of California, and NEUBERGER, of Oregon, still are fighting for the compromise billboard regulations that would ban big display posters but permit smaller advertising signs along the 41,000-mile Interstate System.

KUCHEL and NEUBERGER figure that too little regulation is better than none, since passage of even a watered-down billboard ban represents the first successful attempt to establish Federal interest in protecting roadside scenery. That is, unless KERR and HRUSKA, knuckling under to the outdoor advertising lobbyists, manage to kill that token of interest.

How foolish is this giving in to the advertising companies is indicated in Averell Harriman's recent discussion of the subject in *The Reporter*.

"Banning billboards along the new interstate highways could scarcely be called a heavy blow to the advertising industry," says Harriman. "There are 3,400,000 miles of streets and roads in the Nation, most of which remain open to as many billboards as advertisers are willing to pay for. The Interstate System will add a mere 1.2 percent to the total mileage. Moreover, the small businesses such as motels and restaurants that use billboards to advertise their whereabouts can do so at the exits, which are the only points where travelers can turn off the highways anyway."

The lobbyists hacking away at the Federal bill, as well as those fighting State regulation of sign-placing on the new system, may eventually regret their achievement. In Colorado, one prideful community, Aspen, has found a way to impose more far-reaching and drastic control of billboard blight under existing Colorado law, which is similar to laws of other States.

Working through the city council and the Pitkin County commissioners, Aspenites have attracted national attention as they fought offensive billboards through new county zoning rules. If other Colorado counties now follow the Aspen plan, the result will be billboard regulation in areas far off the interstate network the lobbyists have been trying to take over for advertising. They stand to lose more than they can win.

The new superhighway system will be the world's largest, and it can also be the most beautiful—41,000 miles of new national park. Most of it will be over new rights-of-way, where no previous roads have existed. Colorado, whose scenery is as much an asset as is oil in Oklahoma or corn in Nebraska, has a stake in protecting the national network from the blight of shaving jingles and soft drink art. NEUBERGER and KUCHEL, not KERR and HRUSKA, are thus working in this State's interest.



[From the Detroit News of March 21, 1958]

#### CURVE AHEAD

Legislation to keep billboards off the interstate highways that are to be 90 percent paid for by the Federal Government has taken a step forward—a very small step but a surprising and welcome one nevertheless.

By a margin of one vote the Senate Committee on Public Works has at last reported favorably a compromise and minimum-control bill. This sets standards to keep the highways from the blight of the hucksters and authorizes each State enacting the appropriate restrictions to receive an additional ½ percent in aid. Cooperating States may also charge off to Washington the cost of acquiring scenic easements—a sort of lease on the view—up to 5 percent of total acquisition costs.

If one thinks of the handful who have a material interest in defacing the countryside, contrasted to the millions who prefer it the way God made it, if one considers the democratic principle that the public has the clear, logical and constitutional right to regulate the use of projects built with public funds, then the victory in the Senate appears to be so modest as to be ludicrous.

What has to be considered, however, is the political reality: that the billboard lobby is well organized, rich, skillful, and tenacious, and that against it stand only the unformulated wishes of perhaps 150 million people. Such an articulate, well-heeled minority is always more impressive to practical politicians, because it seems to care so much while the silent citizen seems to care so little.

In that consideration, moreover, lies a warning. Despite Senate action, the opposing lobby remains immensely, disproportionately powerful. The Senate must still vote. A companion bill must still be pried out of committee in the House and voted there.

Nor would success in each of these steps mark an end. Robert Moses from long personal experience warns against underestimating the billboard gang. Any battle lost in Washington will certainly be fought again among the State legislators, where both the odds and the advantages of the undercover boys may be something like 48 times greater.

MARCH 19, 1958.

JAMES LOEB, Jr.,

*Publisher, the Adirondack Enterprise,  
Saranac Lake, N. Y.*

The Advertising Federation of America, believing that an attack on the rights of one legal medium of advertising soon can be translated into attacks on all other mediums, strongly protests the action of the Senate in attaching the antibillboard section to the Gore accelerated public-roads bill. AFA believes this is another step toward Federal restriction and control of advertising and violates basic constitutional law by a discriminatory usurpation of private property. We respectfully solicit your editorial comment on this vital issue.

ROBERT M. FEEMSTER,  
*Chairman of the Board, AFA.*

[From the Adirondack Enterprise of March 21, 1958]

#### BILLBOARDS AND US

The advertising federation, referring to wire from the chairman of the board of the Advertising Federation of America, asking us for editorial comment on the vital issue of billboard advertising.

The Advertising Federation, referring to the action of the United States Senate in attaching an antibillboard section to Senator GORE's bill for accelerated public roads construction, wants us to join with it in protest. The AFA calls this action another step toward Federal restriction and control of advertising which violates basic consti-

tutional law by a discriminatory usurpation of private property.

The federation appeals to us on the grounds that an attack on the rights of one legal medium of advertising soon can be translated into attacks on all other mediums.

We agree thoroughly with the Advertising Federation that this is a vital issue. At that point, our agreement stops.

In the first place, we do not feel that an issue of this nature should be decided purely on the basis of the one criterion: What's in it for us? More important than the question of what is good for the advertising business is the matter of what is good for the American people. Indeed, we rather resent being appealed to on this selfish basis.

In a similar way, we receive appeals from certain agencies interested in pay-as-you-go television. We are asked to support that development, not because it is good in itself (which it may well be), but because it is supposed to be good for newspaper advertising as against its television competition. In this case, too, we think the issue too important to be decided only on the basis of whether it is good or bad for newspaper advertising.

In the second place, and so that no one will think that we are being so high and mighty about this issue, we must confess that restrictions on billboard advertising, as far as we can see, would have no adverse effect on newspaper advertising. Indeed, if such restrictions had any effect at all, it would be favorable, on the principle that less of the national advertising dollar would be spent in other mediums.

Nevertheless, we like to think that we can reach an opinion on this issue without regard to the narrow interests of our immediate pocketbooks.

So far as the issue itself is concerned, we offer our enthusiastic support to those Senators who, in the interest of the vast majority of our people, are pushing for some kind of restrictions.

We in the Adirondacks are less bothered by the curse of billboards than many areas, because there are restrictions within the so-called blue line of the Adirondack State Park.

But we travel in other areas and know just how disconcerting and unsightly an overdose of billboards can be. Perhaps we should be against the restrictions on the grounds that, if the rest of the country were covered with billboards, more people would come to the Adirondacks to appreciate the scenery here.

Not only do we favor the restrictions because of the effect they have on America the beautiful, but also for reasons of justice. The advertising space which billboards occupy is created for the advertisers by public funds. The readers of billboard advertising are attracted not by anything the advertisers do, but by what the government does, Federal, State, or local. We do not suggest that all billboard advertising is wrong, or necessarily a desecration of our country. But we do say that the beautiful new highways built by public funds should not be cluttered up with billboards which divert the attention of the driver, mar the scenery, and create long, thin, and endless Coney Islands throughout the land.

Finally, we believe that the Advertising Federation's argument about a discriminatory usurpation of private property is so much hogwash. Are restrictions against building factories in residential areas also usurpations? Is it suggested that all zoning laws are unconstitutional?

Owners of private property have rights. The public has rights, too.

We regret our inability to cooperate with the Advertising Federation on this issue. We think they are wrong, dead wrong.

[From the St. Petersburg Times of March 20, 1958]

#### PUNY TACTICS AGAINST BILLBOARDS

Congress is acting like timid parents of a delinquent teen-ager, insofar as combating the roadside billboard evil.

Instead of penalizing States which do not control billboard advertising along Federal-State highways, a Senate subcommittee plans to give more money to the good little States which do restrict billboards.

The billboard lobby evidently has the Senators buffaloed. This situation contributes to a serious accident hazard. A survey by the United States Bureau of Public Roads in cooperation with the Minnesota Highways Department indicates that "the greater the number of nonofficial signs at intersections, the higher were the accident rates."

At the last session of Congress, the subcommittee favorably reported an amended version of a bill by Senator RICHARD L. NEUBERGER, Democrat of Oregon, that would reward cooperative States rather than penalize the recalcitrant ones. The subcommittee now has two other bills which differ only slightly.

The Neuberger bill, at least, has a worthy purpose. The main provision would restrict signs to those "determined to be in the interest of the traveling public and which, by reason of their location, frequency, or character, do not impair the safety of travel or interfere with enjoyment of the natural beauty of the area through which the highway passes."

This seems to us a craven and probably ineffectual way to approach the matter of banishing unsightly billboards, but if it is the best Congress is willing to offer, we can only hope that Florida will take advantage of the chance to get the extra Federal road aid.

Mr. NEUBERGER. I thank my friend from California for yielding me time.

Mr. CLARK rose.

Mr. KUCHEL. How much time does the able junior Senator from Pennsylvania desire? I will yield him 5 minutes, and if he needs additional time I shall be glad to yield it to him.

Mr. CLARK. Mr. President, anyone who has listened to this debate about billboards for the past day or so might have thought that the Senate was considering a matter of great constitutional importance, involving the fundamental liberties of the people.

I hope that before the vote my colleagues will read the separate views opposing section 12 of the bill, which appear on pages 56 to 60 of the committee report. To my way of thinking those separate views in opposition to section 12 are the most eloquent arguments in support of the section which we have heard or seen in this debate.

Nothing could be further from the truth than the thought that this is a matter of great constitutional importance, or that high principle is involved in the opposition to section 12. All this modest little section 12 does is to help the States, if they decide that they wish help, to preserve a little scenery from being defiled by a mass of beer, liquor, and other similar kinds of advertisements. That is all it does.

Anyone who takes the dreary drive from Washington to New York over Route 1 or who drives over Route 30, or out west on Route 66, has only to drive over Twogate Pass from Jackson's Hole into Dubois, Wyo., to see the difference,



All this modest little bill does, as I have said, is to make it possible—not to require it, but to make it possible—for the States which desire to do so to prevent some 3 percent of the total mileage of roads with respect to which the Federal Government gives aid from being desecrated by billboard advertising, the way so many of our unprotected highways have already been desecrated.

It accomplishes this purpose through well tested and clearly constitutional methods, one of them being the well-known method of a Federal grant-in-aid. Perhaps the two parallels to the type of grant-in-aid which are most pertinent here are the program for aid to the blind and the program for aid to small cities in creating and constructing sewage disposal plants.

Just as we need to help the blind, so we need to help those who can see to see our scenery; and just as we need to dispose of our sewage by modern methods, so we need to get some of these billboards off the highways, where they obscure our scenery.

Let us consider for a moment who are for the bill. The supporters of the bill include automobile clubs, garden clubs, urban and national planners, the President of the United States, the titular head of the Democratic Party, every private citizen who wants to preserve some part of the beauty of our scenic highways, and the governors of at least two of our most populous States, namely, New York and Pennsylvania.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a telegram which I have received from Hon. George M. Leader, Governor of Pennsylvania, supporting my position with respect to billboard legislation.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

HARRISBURG, PA., March 24, 1958.

HON. JOSEPH S. CLARK,  
Senate Office Building,  
Washington, D. C.:

I strongly support your position as to billboard legislation along interstate routes.

GEORGE M. LEADER,  
Governor of Pennsylvania.

The PRESIDING OFFICER. The time of the Senator from Pennsylvania has expired.

Mr. CLARK. May I have 2 more minutes?

Mr. KUCHEL. I yield 2 additional minutes to the Senator from Pennsylvania.

Mr. CLARK. Who is against the bill? The outdoor advertising industry, the operators of a few hotels and motels, and, somewhat halfheartedly and quite sheepishly, organized labor, which has been pressed by the Carpenters and Painters Unions.

What are the arguments against the bill? I urge my colleagues to read the minority report, in order to see how unsound the opposition arguments are. I suggest that for intemperate language, purple adjectives, irrelevant and immaterial assertions, supported by no proof and no logic, this report is indeed worth reading.

The opponents talk about States' rights, but no State opposes this provision of the bill. The only State officials who appeared before the committee or submitted statements are in support of section 12.

I am a little weary of the dreary repetition of ancient and obsolete arguments in support of States rights which are being made in this case, with the knowledge that many a State legislature will not shake off the control of the billboard lobby until this bill is passed and some inducement is offered to take the step which the overwhelming majority of all the people of every State would like to see, and that is to preserve the scenic beauty of the country from desecration by the billboard lobby.

Yesterday the Senator from California [Mr. KUCHEL] stated the issue in this case very clearly indeed, to my mind. In conclusion I should like to paraphrase what he said.

The PRESIDING OFFICER. The time of the Senator from Pennsylvania has expired.

Mr. CLARK. May I have one additional minute?

Mr. KUCHEL. I yield 2 additional minutes to the Senator from Pennsylvania.

Mr. CLARK. Does the Senate of the United States believe that the American people want to use Federal funds to help protect the scenery through which the 41,000 miles of the Federal Interstate System is to be constructed? Or do we wish to stand idly by while the billboard lobby ruins much of that scenery and collects an additional enormous unearned profit from the windfall presented to it by the taxpayers when the Federal highway program was organized?

Mr. President, I hope the Senate will help those States that earnestly desire to call a halt to the further spread of billboarditis by defeating the pending amendment. I thank my friend from California for giving me the time to speak on the subject.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. HOBLITZELL in the chair). The Senator from California will state it.

Mr. KUCHEL. How much time is available now to each side?

The PRESIDING OFFICER. The Senator from Oklahoma has 37 minutes remaining, and the Senator from California has 45 minutes remaining.

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time being charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, I yield 5 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I rise in support of the section of the bill which contemplates the development of a program under which the Interstate Highway System will be protected from the deleterious influence of advertising boards and other devices which distract the attention of the motorist while traveling on the highways.

In Ohio we built a 241-mile turnpike. Ninety percent of the property lying contiguous to the turnpike has, by restrictive covenant, been prohibited from being used for advertising purposes. This morning I spoke with the officials of the Turnpike Commission. I asked them what difficulty they had encountered in acquiring the restrictive covenants. I was told that in the acquisition of covenants on property contiguous to the turnpike against use for billboard advertising, 90 percent were acquired with practically no difficulty.

The statement was made to me that inasmuch as the turnpike traversed virgin territory and billboards had not already been constructed, to buy the needed property rights created no unreasonable task.

I asked, further, whether the cost entailed in buying those rights was great. I was surprised to learn that a separate item of account was not carried showing what the cost was to buy the billboard rights. I asked why that was not done. The answer was, frankly, that the cost was so negligible that a separate item of expense for the acquisition of those restrictive rights was not developed.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. GORE. As I understand, those easements were acquired simultaneously with the acquisition of the rights-of-way themselves, and from the same property owners.

Mr. LAUSCHE. That is correct.

Mr. GORE. If the State of Ohio had deferred such acquisitions until the construction of the highway had brought into being an advertising utility, in which interests may have been vested, would not the cost, in the opinion of the Senator, have been much greater?

Mr. LAUSCHE. In that event, I think the cost practically would have become prohibitive. If these rights are to be acquired, they must be obtained at the time the land is bought from the person through whose property the highway runs. At that time the land is still virgin and free from values created by established billboards. It is for that reason that I believe that in the building of the Interstate System, which it is estimated eventually will cost \$40 billion, the billboard problem must be solved at the very beginning.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. KUCHEL. I yield 5 additional minutes to the Senator from Ohio.

Mr. LAUSCHE. I asked further this morning, for information as to the experience of the Ohio Turnpike Commis-



sion from the standpoint of public acceptance. The answer was that on no feature of that public service did the compliments and approval exceed that expressed on the fact that the motorist was spared the plaguing and distracting sight of billboards.

I have already said that the length of the Ohio Turnpike is 241 miles. Along 90 percent of it there is not a billboard. The traveler who uses that highway expresses gratitude to those who had the vision to construct a highway free from the distracting billboards which today are to be seen upon so many highways.

I have listened to the debates about the supposed weaknesses of this section of agreement that the State governments will take these property rights by confiscation. They cannot do so. The Constitution of the United States specifically provides that whenever property rights are taken by condemnation, there must be compensation for those rights. I need not relate to my colleagues that even though we sought to do so, we could not, by statutory provision, arrogate or develop rights in State governments which were superior to or tended to contradict the rights of citizens provided by the Constitution of the United States.

I commend the Senator from Tennessee [Mr. GORE], the Senator from California [Mr. KUCHEL] and the Senator from Oregon [Mr. NEUBERGER] for the vigor which they displayed in promoting and developing this section of the bill. My own hopes are deep that it will be adopted. The longer we delay the greater will be the cost. The longer we delay, the more probable will be the inability eventually to solve the problem. The time to act is now. If the bill shall be passed, it will, in my judgment, meet with the approval of the motorists, and will save us from increased costs when what is sought to be done now will have to be done at a later day, as I think will be inevitable.

Mr. BUSH. Mr. President, will the Senator yield? Will the Senator from California yield a couple of extra minutes, so that I may make an observation concerning the remarks of the Senator from Ohio?

Mr. KUCHEL. I yield 5 additional minutes.

Mr. BUSH. I thank the Senator from California.

The Senator from Ohio has very eloquently and concisely expressed the views which I hold concerning the billboard issue. I compliment him upon the splendid presentation of his views. I associate myself completely with what he has said, and also I join in his commendation of Senators, particularly the Senator from Oregon, the Senator from Tennessee, and the Senator from California, who have, so to speak, carried the flag in the committee in the effort to bring about billboard prohibition.

Like the Senator from Ohio, I come from a State which has had for 20 years a parkway without a billboard on it. That parkway has been a matter of pride and satisfaction not only to the people of my State, but it has likewise been equally a matter of satisfaction and pleasure to the hundreds of thousands

of people who have traveled through Connecticut, which is the gateway to New England. One could not get the people of Connecticut to loosen up on the billboard prohibition if there were 10 referendums. Every one of them would result in increasing approval of the prohibition of billboards on that beautiful parkway.

One has only to drive from Washington to Baltimore to see the effect of billboard prohibition on the Baltimore-Washington Expressway.

Wherever the billboard prohibition has been put into effect, it has met with public approval, not only from the people within the State, but also from those who come from without the State and travel over the highways.

Mr. LAUSCHE. May I ask the Senator from Connecticut whether by legislation those rights were acquired from the property owners?

Mr. BUSH. That was 20 years ago. I do not recall the details which were involved in the prohibition against billboards. I do not wish to go into that phase of the question now. I simply express my strong approval of the principle, because I believe the bill as the committee has reported it will afford a large measure of protection against the billboard on the Interstate Highway System. I sincerely hope that the committee's action in this respect will be sustained when the amendment comes to a vote.

I thank the Senator from Ohio for yielding to me.

Mr. LAUSCHE. Mr. President, may I have another minute?

Mr. KUCHEL. I yield another minute to the Senator from Ohio.

Mr. LAUSCHE. I think I ought to say that my mail has been overwhelmingly against this program. But obviously it comes from those who have a financial interest in perpetuating billboards along the highways. The mail was artificially generated. A sheaf of letters of the same composition and on the same type of paper, with no difference except the signatures, came to my office, as I suppose similar letters were received in the office of every other Senator. To those who have written the letters, I feel safe in saying that when this program shall have been put into effect, the benefits which will come to them because of the increased safety factors and the preservation of scenic beauty will be greater than whatever losses they might temporarily sustain because of the adoption of the program.

Mr. President, I yield the floor.

Mr. KUCHEL. Mr. President, I ask unanimous consent that at this time I may suggest the absence of a quorum, without having the time required for the quorum call charged to the time available to either side under the unanimous-consent agreement.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. KUCHEL. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MORTON in the chair). Without objection, it is so ordered.

Mr. KERR. Mr. President, I yield 5 minutes to the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL].

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 5 minutes.

Mr. SALTONSTALL. Mr. President, I am opposed to section 12 of the bill in its present form because I believe it may unjustly deprive Massachusetts of the incentive payment of one-half of 1 percent, even though Massachusetts has a comprehensive, satisfactory, and effective system for regulating signs, billboards, and advertising devices along all the highways in the State.

Congress has declared the Federal interest in a National System of Interstate and Defense Highways, and is appropriating great sums of money to assist the States in carrying out this highway program. I share the views expressed by the majority of our Committee on Public Works in believing that there is a proper Federal interest in the development of roadside areas, as well as of the highway itself. I believe, too, that the regulation of the use of roadside areas for billboards, signs, and other advertising devices, as well as for restaurants, gas stations, and other facilities, should lie principally in the jurisdiction of the several States.

Massachusetts has long been in the forefront in discharging its responsibility for the condition of highway and adjacent roadside areas. We have had for 37 years statutes providing for regulation of the erection and maintenance of billboards, signs, and other advertising devices. The Massachusetts regulations have been effectively administered for many years, to the satisfaction of the public, including landowners, highway users, and commercial interests desiring to advertise products and services.

I hope laws for the regulation of advertising along public highways will be passed where there are none now. I am sympathetic with the idea that the Federal Government should help in this direction by creating some incentive for States to do so.

Such an effort is attempted by section 12 of this bill. In its present form, I do not feel that I can support this particular effort, sympathetic as I am to its purpose. The provisions of section 12 are not sufficiently specific. As I read them, and as they are read by the Outdoor Advertising Board of the Massachusetts Department of Public Works, I believe that there would be conflicts with the laws and regulations which Massachusetts has adopted to regulate advertising along our highways, and which have been administered satisfactorily. In some ways the provisions of section 12 may be more restrictive than Massa-



chusetts law, and in some ways they may be less restrictive.

I believe that comprehensive and satisfactory State regulations should be held to satisfy the Federal interest in regulating roadside advertising, so that a State will not be penalized under, but may take advantage of, any cost sharing, incentive program established by the Federal Government.

I would like to support legislation which would provide for the preservation of the beauty of the natural landscape along our Federal-aid highways and for the safety of such highways, but I cannot conscientiously support section 12 as it stands. Accordingly, I strongly urge that whatever form of Federal standards Congress adopts for the control of roadside advertising along the Federal-aid highway system should make provision to honor, without interference, conflict, or penalty, any comprehensive program adopted by a State which has proven effective and satisfactory.

For the reasons which I have briefly stated, I intend to vote against the section, unless it is amended to read very differently from the way it now stands.

The PRESIDING OFFICER. Does the Senator from California desire to yield any time to a Senator?

Mr. KUCHEL. Mr. President, I have no information that any other Senator desires now to avail himself of time in speaking against the amendment offered by the Senator from Oklahoma for himself and other Senators.

Mr. POTTER. Mr. President, will the Senator yield 5 minutes to me so that I may propound questions to the Senator from Oklahoma?

Mr. KERR. Mr. President, I yield 5 minutes to the distinguished Senator from Michigan.

Mr. POTTER. As I understand the language of the provisions of section 12, all that is necessary for it to become effective is the signing of an agreement between the Secretary of Commerce and the appropriate highway official of an individual State. Is that correct?

Mr. KERR. The Senator from Michigan is eminently correct. If he will turn to the bottom of page 21 of the bill, line 25, he will find the following language:

Agreements. The Secretary of Commerce is authorized to enter into agreements with State highway departments (including such supplementary agreements as may be necessary) to carry out the national policy set forth in subsection (a) of this section with respect to the Interstate System within the State.

Mr. POTTER. Assume that I am the highway commissioner of my State, and the distinguished Senator from Oklahoma is the Secretary of Commerce. We enter into an agreement. If, as the highway commissioner of my State, although I have all good intentions of complying with the agreement, I find I cannot do so, who is to enforce the agreement? What will happen?

Mr. KERR. If I understand the bill, it places the regulatory power in the Secretary of Commerce. Some proponents of section 12 say that it places the regulatory power in the State; but the

reason why the Senator from Oklahoma has to repudiate that contention as untenable is that the States already have regulatory power. They do not need any contract with the Secretary of Commerce to give them, as States, power to regulate within their own borders. They now have that power. However, the Secretary of Commerce does need permission to enable him to become effective in the matter of regulation. So the Senator from Oklahoma is compelled to the conclusion that the grant of right to regulate moves to the Secretary of Commerce.

Mr. POTTER. And the Secretary of Commerce has no police powers to regulate, even if he so desires. Is that correct?

Mr. KERR. He has none whatever.

Mr. POTTER. It seems to me a grave constitutional question could be raised as to whether, by an agreement entered into between the Secretary of Commerce and an official of a State government—in this case it would be the highway commissioner—something could be done which, under normal procedure, would be a proper matter for legislation.

Mr. KERR. The question raised by the Senator from Michigan has been in the mind of the Senator from Oklahoma, namely, how can it be thought possible for the Secretary of Commerce, who admittedly has no power, to make a contract with a State highway department, which admittedly has no power to do so, and by reason of that contract be put into a position whereby acts could be done which neither of the two could properly do?

Mr. POTTER. If the Senator will allow me to propound another question, I refer to page 21 of the bill, under subsection (4), wherein it is stated:

Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

Let us assume that in a certain State there is in existence legislation permitting the erection of certain signs which may be of a larger size than allowed by subsection (3).

Mr. KERR. Which is 500 square inches.

Mr. POTTER. Yes. Is it the Senator's contention that the language contained in that section would prohibit the States from having such signs erected?

Mr. KERR. The Senator from Oklahoma is compelled to the conclusion that the provision would prohibit the erection of the signs. If the Senator will read the language, he will see on line 6, page 21, it is stated:

It is hereby declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within 660 feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System should be regulated, consistent with national standards to be prepared and promulgated by the Secretary, which shall provide for:

One of the things which follows is—

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. KERR. Mr. President, I yield myself an additional 5 minutes.

One of the things is:

Signs not larger than 500 square inches advertising activities being conducted at a location within 12 miles of the point at which such signs are located.

That being one of the things required, paragraph (4) must be read in the light of that knowledge, and it says:

Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section,

One of the standards is the required limitation that the signs shall not be larger than 500 square inches.

Mr. POTTER. I raise the question, because I believe in the debate yesterday the proponents of the provision claimed that subsection (4) superseded subsection (3), imposing a limitation of 500 square inches on the size of signs. The language of the bill, as I interpret it, is quite to the contrary. The limitation seems to be a part of the national policy which is set forth in the section.

Mr. KERR. Subsection (4) specifically says that the authorization by the States must be consistent with the limitations, one of which is in subsection (3).

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. POTTER. I yield.

Mr. HRUSKA. It is the intention of the Senator from Nebraska to offer an amendment to clarify the meaning of subsection (4) to conform with the state interpretation of the authors of the bill. The amendment will consist of the insertion of words in the third line, so that the provision will read:

Signs erected or maintained pursuant to authorization in State law, regardless of size, and designed to give information in the specific interest of the traveling public.

Then there will be no doubt about the meaning of the section.

Mr. POTTER. That language would remove the limitation.

Mr. HRUSKA. It would remove the limitation contained in the original subsection.

Mr. POTTER. I thank the Senator from Oklahoma.

Mr. KERR. Mr. President, how much time does the Senator from Oklahoma have remaining?

The PRESIDING OFFICER. The Senator from Oklahoma has 27 minutes remaining.

Mr. KERR. I yield 3 minutes to the distinguished senior Senator from Pennsylvania [Mr. MARTIN].

Mr. MARTIN of Pennsylvania. Mr. President, I shall take very little time.

If section 12 should become law a very damaging precedent, adversely affecting the States, might be established. A great number of my dearest and closest political friends in Pennsylvania have asked me to support highway legislation. I have not had any communications from those who favor billboard regulation along the Interstate Highway System.



I am a strong believer in the Interstate Highway System. I presume that my great interest in it arose because of my military operations with troops. I took 1 assignment of 16,000 troops 1,600 miles overland, and that convinced me that what we need in our Nation is a system of interstate and defense highways.

When it comes to the police side of the matter, Mr. President, I think that is entirely a State function. Many States have already enacted laws regulating billboard advertising along the interstate highways and other highways. In the Commonwealth of Pennsylvania we do not have any signs along the original Pennsylvania Turnpike, and that situation has been entirely satisfactory. However, I think such regulation is a matter for Pennsylvania, and not for the Federal Government.

To follow the proper course it will be necessary to use police power to some extent. I do not want the Federal Government to invade Pennsylvania by the use of police power so far as the projected roads are concerned. I think that would be a bad precedent.

For that reason, Mr. President, I am opposing the billboard regulation section of the highway bill.

The PRESIDING OFFICER. The time of the Senator from Pennsylvania has expired.

Mr. KERR. Mr. President, I yield the Senator from Pennsylvania an additional 2 minutes.

Mr. MARTIN of Pennsylvania. Mr. President, we are considering an emergency highway bill. The purpose of the bill is to help take care of unemployment in the Nation. It does not seem to me that anything should be put in the bill which does not refer to the construction of roads. To my mind, that is another reason for opposing the billboard regulation provision.

Mr. President, even if we were considering an original bill for highway construction, as in the case of the Interstate Highway System approved in 1956, I would have to oppose the billboard regulatory provision, because I think all the police power belongs to the various States. I hope that portion of the bill will be stricken.

The PRESIDING OFFICER. The Senator from Oklahoma has 21 minutes remaining. The Senator from California has 29 minutes remaining.

Mr. KERR. I understood the Senator from California desired to take additional time.

The PRESIDING OFFICER. The current time, which is running, is being charged equally to each side.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, without the time being charged to either side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the distinguished junior Senator from Oregon.

Mr. NEUBERGER. Mr. President, I thank the Senator from California, and I assure him that I will not presume to use the entire 5 minutes he has so generously allotted to me.

I am certain that this issue has been fully discussed. I believe that most Members of the Senate know how they expect to vote on the question of whether or not to retain, in the new highway bill, the provision sponsored jointly by the Senator from California [Mr. KUCHEL] and myself, to provide for cooperative agreements with the States to regulate signboards.

Before a vote is taken, I should like to pose a question to each Member of the Senate. The question is this: How does he think his own constituents, aside from those engaged in the outdoor advertising business, feel on the issue upon which the Senate is about to vote?

Consider the population of the State which any Senator happens to represent, whether it be California, Illinois, Florida, Oregon, or any of the other great States of the Union. What does that Senator think is the prevailing opinion of the men and women of the States who will travel along the 41,000 miles of interstate highways, and whose taxes will pay for the construction and maintenance of such roads?

If ever there has been an issue before the Senate on which the division in public opinion was very clear, I think it is this question.

I do not pose as a prophet, because it is said that only the seventh son of a seventh son can prophesy. But I believe that the overwhelming majority of the people of the country, who are also the motorists of the country, favor very strongly and emphatically this proposal to provide for cooperation with the States in regulating signboards and billboards along the interstate highways of the Nation.

I predict that if the Senate today votes to retain this provision in the bill, and then passes the bill—as I am certain the Senate will do—all over the country, in all 48 States, people who value the magnificent countryside will rejoice in what the Senate does.

I thank the Senator from California for yielding me time for this purpose.

The PRESIDING OFFICER. Does the Senator from California [Mr. KNOWLAND] or the Senator from Oklahoma [Mr. KERR] desire to yield additional time?

Mr. KERR. Mr. President, the Senator from Oklahoma is willing to yield back the remainder of his time, if the Senator from California is willing to do likewise.

Mr. KNOWLAND. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. MORTON in the chair). All remaining

time for debate on the Kerr amendment has been yielded back.

Mr. CASE of South Dakota. Mr. President, I desire to call up my perfecting amendment, identified as 3-25-58-B.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 22, at the end of line 24, it is proposed to strike out the period and insert in lieu thereof a colon, and then add the following:

*Provided, however, That any such segment excluded from the application of such standards shall not be considered in computing the increase of the Federal share payable on account thereof.*

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 30 minutes.

Mr. CASE of South Dakota. I hope it will not be necessary to use 30 minutes in discussing the amendment. So far as I know, there is no objection to it. It is intended as a clarifying amendment, to make sure that if a portion of the Interstate System is excluded by the agreement referred to in the language on page 22 of the bill, the portion so excluded from the application of the standards should not be eligible to earn an additional one-half percent of credit in the payment of the cost of the Interstate System. Certainly I do not believe that anyone wishes to pay a bonus for the segment which is excluded from the application of the standards.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. GORE. In the opinion of the junior Senator from Tennessee, the amendment merely states what is the reasonable interpretation of the provisions now before the Senate. I regard the amendment as unnecessary, but I see no harm flowing from it, because it but specifies the intent and the meaning of the provisions. Since doubt has been expressed by some—although I do not share it—I am willing to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota.

Mr. KERR. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma desire to speak on the amendment?

Mr. KERR. I do.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oklahoma. How much times does he wish to have yielded to him?

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Oklahoma such time as he may desire to use.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

Mr. KERR. Mr. President, have I been recognized?

The PRESIDING OFFICER. The Senator from Oklahoma has the floor.

Mr. KERR. The Senator from Oklahoma has been trying to digest the clarifying amendment.



I must say that I have trouble understanding the statement of the Senator from Tennessee, that all the amendment does is to put in the bill what was the meaning of the authors of the bill when it was before the committee. That may well be the case. However, inasmuch as the Senator from Oklahoma is not able to fully understand what the amendment does, he is having a little difficulty in deciding whether the reference of the Senator from Tennessee was to the meaning in his mind or in the minds of the authors of the amendment, and he would therefore like to ask the Senator from South Dakota just what the amendment proposes to do.

Mr. CASE of South Dakota. If the Senator will yield to me, I shall be happy to do so.

Mr. KERR. I yield.

Mr. CASE of South Dakota. Yesterday, during the discussion of the meaning of the language relating to the agreements referred to in the bill, particularly that portion of the bill providing for the exclusion of certain segments of the Interstate System which traverse incorporated municipalities, one Senator brought out the fact that in his State a great deal of the Interstate System would pass through municipalities, which were subject to local regulation. If they are subject to local regulation, and they are excluded from the application of the standards herein proposed—

Mr. KERR. Does the Senator mean standards of highway construction or standards for the regulation of billboards?

Mr. CASE of South Dakota. Standards for the regulation of billboards. The amendment is tied specifically to the sentence which deals with standards for billboards.

Mr. KERR. I understand. The Senator from South Dakota does not believe that the addition of the amendment would change the discretionary power of the Secretary of Commerce to include or exclude, but would merely provide that, in the event of an exclusion, the area so excluded would not be counted or be effective with respect to what the State would receive under the 5 percent provision or the one-half of 1 percent provision. Is that correct?

Mr. CASE of South Dakota. That is correct. The best answer, perhaps, is to read the language. It ties right on to the sentence which deals with the exclusion by the Secretary of Commerce, by adding the words:

*Provided, however, That any such segment excluded from the application of such standards shall not be considered in computing the increase of the Federal share payable on account thereof.*

Mr. KERR. Mr. President, I have no objection to the amendment, in the light of that explanation. I am impressed with two things, however. First, it shows the general inadvisability of the entire composition of section 12 being added to the emergency highway bill. This is but another bit of the mass of accumulated evidence showing that section 12 is in great need of additional language to make it conform even to the ideas of the sponsors.

The Senator from Oklahoma feels that this illustrates the worthiness of the amendment which he and others are sponsoring, to strike section 12 from the bill, the effect of which would be to permit us to go along with an emergency highway construction program and leave billboard regulatory legislation to come up in a separate bill after members of the committee and sponsors of the bill have had the time which it is more and more evident will be needed in order to get either understandable language or language which the sponsors themselves desire to have in it.

Mr. CASE of South Dakota. I welcome the support of the Senator from Oklahoma, as a constructive legislator, in support of the amendment.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. GORE. I know of no opposition to the adoption of the amendment suggested by the Senator from South Dakota. I should like to call the attention of the Senate to lines 4, 5, 6, and 7 on page 23 of the bill, which read:

The Federal share payable on account of any project on the Interstate System within that State provided for by funds authorized under the provisions of section 108 of this act, to which the national policy and the agreement apply, shall be increased by one-half of 1 percent of the total cost thereof.

As the able Senator from South Dakota has said, one Member of the Senate raised some question about the matter. The amendment he proposes will set at rest any doubt as to the meaning of the language.

Mr. CASE of South Dakota. Mr. President, I am prepared to yield back the remainder of my time, and ask for a vote.

Mr. JOHNSON of Texas. Mr. President, I yield back the time remaining to this side.

The PRESIDING OFFICER. All time for debate on the amendment has expired.

The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. CASE].

The amendment was agreed to.

Mr. COTTON. Mr. President, I call up my amendment identified as "3-21-58-B."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 21, line 11, after the words "Interstate System" it is proposed to insert: "constructed upon any part of right-of-way, the entire width of which is acquired subsequent to July 1, 1956."

On page 22, line 23, change the comma to a period and strike out all after the period down to and including the period in line 24.

Mr. COTTON. Mr. President, I yield myself 5 minutes. This is a very simple amendment. It can be very quickly explained, and I doubt that much time need be taken for its consideration.

The amendment would limit the restriction and the regulation of advertising on the Interstate System to those parts of the Interstate System of Highways which are completely new.

Mr. GORE. Mr. President, will the Senator yield?

Mr. COTTON. I am glad to yield.

Mr. GORE. Will the Senator again state the number of the amendment which he has called up?

Mr. COTTON. It is designated "3-21-58-B."

The bill in its present form provides that the restrictions shall apply to those portions of the Interstate System which are completely new highways, or as to which any part of the right-of-way has been acquired since July 1, 1956.

If the amendment shall be adopted, the provisions of the bill will apply only to new, virgin interstate highways which are constructed where no highways existed previously. These are the reasons for the amendment.

First, a person who had been advertising on any highway before the Interstate System started would not be deprived of his present privileges. We would avoid all the distress, entanglements, difficulties, and complications which would be entailed by requiring the tearing down of the present advertising.

A person who was operating a motor court or a gasoline station, or who had any other form of business being advertised on presently existing highways, would not be affected by the amendment. The amendment would apply only to those parts of the new Interstate System which were entirely new and were located where no highways existed before.

Mr. GORE. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. GORE. The Senator has just said that his amendment would limit the application of this section to the segments of the new Interstate System which would be located in entirely new areas; in other words, in areas and on ground not now a part of a highway.

Mr. COTTON. That is correct.

Mr. GORE. To clarify my understanding of the Senator's amendment, I understand it proposes to strike out, on the bottom of page 22, lines 23 and 24, the words "or which are built on rights-of-way wholly acquired before July 1, 1956."

Mr. COTTON. That is correct.

Mr. GORE. Before discussing the amendment which the Senator from New Hampshire proposes, let me ask, Is it not true that the words at the bottom of page 22 which the Senator proposes to strike out by his amendment relate to the discretion granted to the Secretary of Commerce in reaching agreements with the States to exclude from the agreements those segments of the Interstate Highway on which the rights-of-way were wholly acquired before July 1, 1956?

Mr. COTTON. That is correct.

Mr. GORE. Then the Senator proposes to insert, does he not, on page 21, line 11, after the word "System", the words "constructed upon any part of right-of-way, the entire width of which is acquired subsequent to July 1, 1956."

Mr. COTTON. That is correct.

Mr. GORE. The Senator has said that this language would limit the ap-



plication of this section to those parts of the Interstate System which will be located in entirely new areas. As the Senator knows, that will constitute about 75 percent of the system.

Mr. COTTON. I do not quite agree with that statement. It is my understanding that about 72 percent of the system includes areas where there have been highways, but where new rights-of-way have been added to widen the roads so as to bring them into the Interstate System. So the figure would be somewhat less than 75 percent.

The PRESIDING OFFICER. The time of the Senator from New Hampshire has expired.

Mr. COTTON. I yield myself 5 more minutes.

Seventy-five percent of the system would be affected if the amendment were adopted. If the amendment should be adopted, let there be no misunderstanding, those portions of the interstate highway located upon existing rights-of-way, but on which the roads have been widened, where the rights-of-way have not wholly been acquired, but a part of them has been acquired, would not be subject to this provision of the bill.

Mr. GORE. The question I wish to raise is whether the Senator from New Hampshire has taken into consideration the extent to which his amendment would apply to a highway passing through a municipality, although it is not located on a Federal highway right-of-way, but traverses a street.

As I understand the amendment, it is so restrictive that it would exclude the operation of the section proposing to accomplish the regulation of outdoor advertising on the Interstate System to the extent that, if as much as 1 foot of an entire project had previously been a right-of-way for a street or a road, county, State, or Federal, the provision could not operate. Am I misinterpreting the purpose of the amendment?

Mr. COTTON. No; I think the Senator from Tennessee is exactly correct. I shall be glad, after he has completed his statement, to give my reasons for framing the amendment as it reads. But I think the Senator is perfectly correct. I think it would except from the billboard provision any part of the interstate highway that follows the course of a road which previously existed, no matter how small that road might be. It would also except from the provision highways which had only been widened somewhat.

Mr. President, I yield myself 5 more minutes, because I want to go into this subject carefully.

In some States, including New Hampshire, toll highways already built and in operation before the passage of the 1956 act have been taken over. In most of the States, the policy concerning those highways has been determined. Some States control advertising; others, I believe, do not. But on the highways taken over, the amendment would not attempt to impose a new system or attempt to change the existing condition. On the parts of the Interstate Highway System which follow State roads, and which

previously existed, where people already have their establishments and their advertising, the billboard provision would not take effect.

While I was unable to determine from the Bureau of Public Roads exactly the proportion of the Interstate System which would be affected if the bill be passed, it would not be 72 or 75 percent; it would be less than that. An educated guess is that 65 percent of the Interstate System would still be covered. Certainly it would cover the portions of the Interstate System which traverse rural areas and are completely new. It is also true that it might leave, to be operated on by the statute, certain parts of new highways within municipalities. But they would still have operative upon them the restrictions already in the bill.

I call attention to four prime reasons for the amendment.

First, it would not necessitate destruction of already existing advertising.

Second, it would provide an opportunity, under the provisions of the act, to control advertising where it is most necessary that it be controlled, namely, where the Federal Government has invested many millions of dollars in building new highways.

Third, it would reduce the cost of operation of the act, because it would reduce the number of miles of highway covered; and it also would restrict the application of the act more to the sections of the Interstate System in connection with which the cost of obtaining the advertising rights would be less.

Fourth, it carries this principle, which I submit is a very vital one: It would make the bill applicable, in general, only to the parts of the Interstate Highway System where the advertising values would be created entirely by the building of the highway system, and where there were no advertising values before. Therefore, if the new highway were built where no highway had existed before, the owners of the abutting land would not have any valuable advertising rights until the Federal Government had paid 90 percent and the State had paid 10 percent of the cost of constructing the highway which, when put into use, would create the advertising rights.

So, Mr. President, I assert that this amendment will make the operations of the act much simpler. It will minimize the possible hardships which could be created. It will be less costly. It will be in keeping with the principle we really wish to have applied, so the new nationwide system of interstate highways will be controlled. Furthermore, I believe the amendment will strengthen the bill and will make it more readily administered.

Several Senators addressed the Chair.

Mr. COTTON. Mr. President, I yield first to the Senator from Oregon [Mr. NEUBERGER], who has been on his feet for some time. Thereafter I shall yield to the Senator from Tennessee [Mr. GORE].

Mr. NEUBERGER. Mr. President, I may be incorrect, but it seems to me that this amendment would create in the billboard amendment a loophole so big that it would almost be large enough for a diesel locomotive to be driven through it.

I should like to ask the Senator from New Hampshire several questions, if I may.

In the crowded industrial, metropolitan States of the East, is it really possible to obtain a new highway right-of-way without locating it in many instances on previously existing country roads or lanes or other roads?

I agree that in some of the great, wide-open spaces of the Far West—such as Wyoming, Idaho, Oregon, and many parts of California—it would be possible to build a road across the countryside where no right-of-way had previously existed. Certainly that would be possible in remote or primitive areas.

But in the great industrial States of the eastern seaboard, which are crisscrossed with county lanes, country roads, and other roads of various kinds, would not the amendment virtually remove those States from the application of the act?

Mr. COTTON. I do not think so, and I do not think the apprehensions of the Senator from Oregon are very well justified.

It is true that in the very thickly settled areas of the Eastern States, the Interstate System might well follow, very largely, previously existing highways. But that portion of the Interstate Highway System would, as a matter of policy, be excluded from the application of the provisions the Senator from Oregon is supporting.

I live in an eastern State, part of which is fairly heavily populated. I find that a large portion of the Interstate System in my State runs through new territory. I also find that in many of the Eastern States, if the Interstate System were constructed on presently existing roads, the Interstate System would be so crooked that a snake could not follow it, because the existing roads are extremely winding.

It is true that in the environs of Boston, Springfield, New Haven, Newark, and other great cities—

The PRESIDING OFFICER. The time the Senator from New Hampshire has yielded to himself has expired.

Mr. COTTON. Mr. President, I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 3 more minutes.

Mr. COTTON. Mr. President, as I was saying, it is true that as regards the environs of various large cities, the Senator from Oregon may be correct.

But it is not my understanding—and I have supported the billboard amendment from the very start—that it is the proclaimed purpose of those who support this provision to try to control advertising in the industrial areas, because the industrial areas are to be specifically excluded at the discretion of the Secretary of Commerce.

Mr. NEUBERGER. Mr. President, I may be incorrect in my understanding of this matter, and I have not consulted either the able Senator from California [Mr. KUCHEL] or the able Senator from Tennessee [Mr. GORE] about it. However, it seems to me that this amendment could create a major breach in the regulation here proposed.



Mr. COTTON. Mr. President, I must interrupt the Senator from Oregon for a moment, to inquire about the time situation.

The PRESIDING OFFICER. A moment ago the Senator from New Hampshire yielded to himself an additional 3 minutes. When they have expired, the Senator from New Hampshire will have used 18 minutes, and he then will have 12 minutes remaining.

Mr. COTTON. Mr. President, I yield again, but briefly, to the Senator from Oregon.

Mr. NEUBERGER. Mr. President, in the case of a portion of the Interstate Highway System which happened to fall on an existing country lane or road, there could be advertising, whereas if in a nearby section the Interstate System did not follow an existing road, there could not be any advertising at all. Would not that lead to a perfectly absurd situation?

Mr. COTTON. I doubt that there would be many serious problems of that kind. It should be borne in mind that the States will not be compelled to control advertising, and it is very unlikely that either the State highway department or the Secretary of Commerce would think it worthwhile to control advertising on a small section of a road, when there already was advertising on each side of it.

I believe the amendment would result in having advertising controlled along the portions of the Interstate System in the scenic areas of the country—which, as I understand, is the purpose we have in mind.

Mr. CASE of South Dakota. Mr. President, will the Senator from New Hampshire yield briefly to me?

Mr. COTTON. I yield 3 minutes to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 3 minutes.

Mr. CASE of South Dakota. Mr. President, it seems to me that there is much to be said for the amendment which has been proposed by the Senator from New Hampshire. In dealing with old rights-of-way, where there already are billboards, certainly the amendment submitted by the Senator from New Hampshire has much to commend it. It avoids the charge of retroactivity and the charge that we would be seeking to confiscate advertising rights already established. The amendment would reduce the probable cost of operation of the bill, I may say, because the advertising rights along a new highway and a new right-of-way would not be regarded as being as valuable as those along a highway where the right had long been recognized and where the advertising was already in existence.

It seems to me that there would be no harm at all in accepting this amendment and taking it to conference. If, in the deliberations which always occur in a conference committee, the instances cited by representatives of the Bureau of Public Roads or by the conferees on the part of the House or by the conferees on the part of the Senate were sufficient to indicate that a further modification should be made, or that

there should be included a provision for the application of a new policy with respect to existing roads, certainly that could be worked out in the conference.

However, it seems to me that at this stage of the proceeding it is highly desirable to accept the amendment the Senator from New Hampshire has proposed.

Mr. CARLSON. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE of South Dakota. Yes; if I may do so.

Mr. CARLSON. It seems to me that the amendment of the Senator from New Hampshire has much merit in its practical application. We have a toll road in Kansas two-thirds or three-fourths of which has been taken over as a part of the Interstate System. On some portions there are billboards. The highway right-of-way was secured before 1956. If the proposed legislation shall be enacted without the Cotton amendment, the billboards on two-thirds or three-fourths of the highway will have to be removed. It seems to me the proposal has much merit.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from New Hampshire has 9 minutes remaining. The Senator from Oklahoma has 30 minutes remaining.

Mr. COTTON. I would rather reserve a little time.

Mr. KERR. Mr. President, I yield 5 minutes of my time to the Senator from New Hampshire.

Mr. COTTON. I thank the Senator, and I yield to the Senator from Tennessee.

Mr. GORE. Can the Senator imagine a 20-mile project being found within the Interstate Highway System in his State, or in any State adjoining his State, which would not at some point within the 20 miles traverse, or at least encompass, at least 1 foot of a lane, a country road, a highway, a street, or some form of thoroughfare the right of which was publicly owned?

Mr. COTTON. I shall answer that frank question with equal candor. The Senator from New Hampshire cannot imagine in his State 20 miles of a highway on the Interstate System where that would not be true. It might not be true in the northern part of the State, but, by and large, in the southern part of his States the Senator from New Hampshire cannot imagine 20 miles of an interstate highway which would not at some point cross or run for a distance on another highway.

The Senator from New Hampshire would like to respond to the Senator from Tennessee by saying it is not the understanding of the Senator from New Hampshire that it is the intention of the proponents of the bill to put a ban on advertising. It is the understanding of the Senator from New Hampshire that the purpose is to put reasonable controls and limitations on advertising, with emphasis on a restriction of advertising on new parts of highways to be built throughout the country. What would be the harm or serious danger if for 5 miles, or 3 miles, or even 8 miles, of a 20-mile stretch an interstate high-

way in the State of New Hampshire, for example, should run along a present highway, and the present signs should remain? The new part of the road would be in virgin territory, and should be clean as a whistle, and should be regulated. What is the harm in that? We are making a great deal of it, are we not?

Mr. GORE. Frankly, since the Senator has asked me, I think the adoption of the amendment he proposes would nullify the entire provision, except perhaps in the Western States, where projects would be located which would not encompass any part of any right-of-way of any kind of thoroughfare whatsoever. I cannot imagine that the Senator could find a 10-mile stretch in any eastern State, unless it be in the northern woods of Maine, to which, perhaps the Interstate Highway System will not extend, which would not cross or encompass at least one foot of a public right-of-way. In that event the Senator has just stated his amendment would exclude most of his own State.

Mr. COTTON. Oh, no, I have not said that. The Senator misunderstood me. I would be very glad to invite the Senator from Tennessee to my State and show him where the major portion of the highways of the Interstate System would be built. The major portion would be covered by the pending bill. I do not think there would be any ruination resulting if occasionally an interstate road followed along, for a time, a State highway where signs already existed. I do not agree with the Senator that it would defeat the purpose of the provision.

The PRESIDING OFFICER. The time of the Senator from New Hampshire has expired.

Mr. KERR. I yield to the Senator from New Hampshire an additional 5 minutes.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for an additional 5 minutes.

Mr. GORE. Will the Senator yield further, so that we may clarify the question?

Mr. COTTON. Certainly.

Mr. GORE. In entering into an agreement with a State by the Secretary of Commerce the agreement would apply to projects or segments of a highway. Is that true?

Mr. COTTON. I think there is one element of sharp misunderstanding on the part of the Senator from Tennessee which has just come to my mind. Does the Senator from Tennessee take the position that if Road A crosses an interstate highway at a point, or even crosses it diagonally, so that it runs along it for 200 or 300 yards, and half a mile thereafter Road B crosses the Interstate System, or runs along with it for 200 or 300 yards, advertising would be permitted between those crossings if my amendment were adopted?

Mr. GORE. It would not have to be for 200 or 300 yards; it could be for only 1 foot. Let me read a sentence of the bill as it would be if the Senator's amendment were adopted. I read beginning on line 6, on page 21, of the bill:

It is hereby declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or de-



vices within 660 feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System—

Now reading the Senator's amendment—

constructed upon any part of right-of-way, the entire width of which is acquired subsequent to July 1, 1956.

Reading that language in its entirety, it seems to me the conclusion is inescapable that it is required that the entire width be acquired subsequent to July 1, 1956, to make it subject to this regulation; but if the State owned 1 foot, 1 mile, 1 yard, of the right-of-way before July 1, 1956, then the project could not be subject to this regulation.

Mr. COTTON. The Senator is completely missing my point. He has read at some length, when the time for discussion is limited, the wording of my amendment, with which I am thoroughly familiar. If a road is built along an existing highway, then it is true that even if it overlaps only 1 foot or 2 feet the display of signs is not to be controlled, under my amendment. The Senator talks about intersecting highways. Highways could not be built in the States, except in the great West, where there would not be crossing or bisecting of other highways. If a road crossed a highway, for just a few feet, it would be exempt from control.

Mr. GORE. In other words, the Senator interprets his amendment to mean that if there is a 20-mile segment of a highway, and a half mile here and a half mile there is on a right-of-way previously owned, control can be exercised with respect to all segments of that section except the half mile here and the half mile there?

Mr. COTTON. I certainly do. Under the Cotton amendment, all portions of the Interstate System constructed as entirely new highway would be subject to the provisions of the section. I do not see how anyone could possibly read anything else into the language.

Mr. GORE. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. GORE. In the opinion of the junior Senator from Tennessee, the dangerous area, the area in which it is most desirable and necessary to obtain regulation, is the area of turnoffs and intersections. If the Interstate System is constructed across a State highway, where there is to be a cloverleaf interconnecting with an existing highway, then would it not be true that the entire area of the intersection would be excluded from regulation, for the reason that the right-of-way for the existing road was owned before July 1, 1956?

Mr. COTTON. It is quite possibly true that the portion of the highway which actually crossed the other right-of-way would not be covered if the amendment were adopted.

Let me remind the distinguished Senator from Tennessee that the purpose of the amendment, boiled down to the least common denominator and phrased in plain English, is that every new portion of the interstate highway shall be subject to the provisions of the

bill, and that all the old highway, whether it be the entire width or not, where rights already have been created and signs are existing, shall remain unaffected. That is the commonsense approach. Actually, I could take the Senator to the State of New Hampshire and to many other eastern seaboard States and show him miles and miles of the proposed Interstate System which would fall under the control of the bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GORE. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. The Senator from Oklahoma has 20 minutes remaining.

Mr. KUCHEL. Mr. President, will the Senator yield 5 minutes to me?

Mr. KERR. I yield 5 minutes to the Senator from California.

Mr. KUCHEL. Mr. President, I hope the Senate will vote down the amendment offered by the Senator from New Hampshire.

Let me see if I can state the proposition in understandable English. Suppose there are three segments of an interstate highway, A, B, and C. Let us assume that A had been completed prior to July 1956; that B was in existence prior to 1956, but required additional rights-of-way to bring it up to the standard prescribed by the Congress and the Bureau of Public Roads; and that C represented brandnew rights-of-way across areas to be developed.

Under the provision which is presently in the bill we do not propose to touch A. In other words, that part of the 41,000-mile system which was in existence prior to July, 1956, requires no new right-of-way. Perhaps there are billboards along each side of it now. We turn our backs on that.

We seek, however, to have the Senate approve a national policy on the two remaining types of highways; those where new rights-of-way are required in part, and those where new rights-of-way are required in toto.

From a percentage standpoint, about 75 percent of the 41,000 miles will be brand new rights-of-way. Those will be completely new. Of the remaining 25 percent, the opinion expressed by the Bureau of Public Roads is that approximately 5 or 7 percent represent highways to which no additions are required, and somewhere between 18 and 20 percent require new rights-of-way.

If we adopt the proposal of the Senator from New Hampshire, even if a State wants to make billboard regulations for such sections of the highway where new rights-of-way are required, the State cannot do so. We would thereby deprive the State of the opportunity to participate in the incentive payment the bill provides.

If we pass it in its present form, the bill says that any State can acquire advertising easements, if that is the way it desires to proceed, and the State will participate in the payment for such easements. Why do we give them an incentive with one hand and take from them with the other hand the right to exercise a policy which would bring them

the incentive? I say this sincerely to my friend from New Hampshire. The Senator has helped to have the bill reported to the Senate. We joined together in a majority. I say the Senator from New Hampshire in complete good faith, I wish he would withdraw his amendment, because I believe the problem can be solved by each State endeavoring for itself to determine whether it will live up to the policy.

Mr. COTTON. If the Senator from California will yield, did he intend to say if my amendment were adopted it would deprive the States of the right to control the other segments of highway? The amendment would take nothing from the States whatsoever.

Mr. KUCHEL. I said that in my opinion, if the amendment of the Senator from New Hampshire were adopted, it would deprive the States of participating in a Federal incentive payment, to the extent of applying the national policy over that part of the Interstate Highway System where new rights-of-way were required.

Mr. COTTON. The States would get payment for those portions of the highway which were controlled, exactly as they would under the bill as now written. It would save the States from getting their noses into a lot of trouble.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CASE of South Dakota. Mr. President, will some Senator yield 1 minute to me?

Mr. KERR. I yield 1 minute to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, I should like to ask the author of the amendment if he does not feel the State, in the situation described by the Senator from California, might still be eligible to get help on the purchase of rights, if the State decided to seek to purchase rights where the advertising is in existence?

Mr. COTTON. I think that participating in the purchase of rights would not be affected by the limitation any more than it would be affected by the limitations already in the bill.

Mr. CASE of South Dakota. My reading of the language leads me to believe it is only applicable with respect to the so-called incentive payment, but would not interfere with the State getting help on the purchase cost of easements.

The PRESIDING OFFICER. The time of the Senator has expired.

Does the Senator from Oklahoma desire to yield time?

Mr. KERR. I yield myself 3 minutes.

Mr. President, I am going to accept the amendment of the Senator from New Hampshire. As I understand it, it would exclude from the provisions of section 12 any part of the right-of-way the entire width of which was acquired subsequent to July 1, 1956.

Mr. NEUBERGER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. NEUBERGER. Who is in charge of the time on the respective sides? If I am not mistaken, I just heard the dis-



tinguished Senator from Oklahoma yield himself time to support the Cotton amendment. The Senator from New Hampshire [Mr. COTTON] has been yielding himself time to support the Cotton amendment. Who is in charge of the time for the opponents?

The PRESIDING OFFICER. The majority leader; and the Chair understands that he had turned the responsibility over to the Senator from Oklahoma.

Mr. KERR. Does the Senator from Oregon desire some time?

Mr. NEUBERGER. I am new at parliamentary law; but am I to understand that the time for both sides is controlled by the proponents of the Cotton amendment? I should like to ask for a ruling on that question.

The PRESIDING OFFICER. The time in support of the Cotton amendment is controlled by the sponsor of the amendment, the Senator from New Hampshire. Under the unanimous-consent agreement, time in opposition was to be controlled by the majority leader, should he be opposed to the amendment. If he were not opposed to the amendment, the time would be controlled by the minority leader.

Mr. JOHNSON of Texas. Mr. President, let me say to the distinguished Senator from Oregon that it has been the practice on both sides of the aisle to yield time without regard to whether a Senator supports or opposes an amendment, if the time in opposition is not demanded by an opponent of the amendment. We frequently ask unanimous consent to extend the time on an amendment. If the Senator from Oregon or any other Member of this body desires time, and no time is available, I am prepared to ask unanimous consent that it be made available.

I cannot sit at this desk all day long. Inasmuch as the subject matter was one in which the Senator from Oklahoma was interested, and which he was handling, and inasmuch as he was required to be present in the Chamber anyway, I asked him to handle the time.

This has nothing to do with the merits or demerits of the pending amendment. If the Senator from New Hampshire had some time available, and it should suit his purpose to yield time to the Senator from Oklahoma, he could do so.

Mr. NEUBERGER. I still do not understand. How can the Senator from Oklahoma support the Cotton amendment by yielding himself a portion of the time of the opponents of the amendment?

Mr. JOHNSON of Texas. Frequently Senators opposed to an amendment use time belonging to the other side. That is not unusual. I think it happens in connection with almost every such unanimous-consent request.

If the Senator objects, we can yield back the time in opposition to the Cotton amendment, and then yield the Senator time on the bill. All we want to do is to give every Senator every reasonable opportunity to express his views.

The PRESIDING OFFICER. The Chair states that in this situation the time should have been controlled by the

junior Senator from California [Mr. KUCHEL], acting for the minority leader in opposition to the amendment. The Chair did not know the position of the majority leader or of the Senator from Oklahoma with respect to the pending amendment. The Chair erred in recognizing the majority leader and the Senator from Oklahoma, and the Chair regrets it.

Mr. NEUBERGER. I thank the Chair.

Mr. CASE of South Dakota. Mr. President, may I be yielded time to propound a parliamentary inquiry?

Mr. JOHNSON of Texas. In the event there is any objection to yielding time, I ask the Senator from Oklahoma how much time he desires?

Mr. KERR. I should like 5 minutes.

Mr. JOHNSON of Texas. I yield 5 minutes on the bill to the Senator from Oklahoma.

Mr. KERR. I yield to the Senator from South Dakota for 3 minutes.

Mr. CASE of South Dakota. My parliamentary inquiry is based upon one clause in the unanimous-consent agreement:

*Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him.

If it is evident that the majority leader is in favor of the amendment, then it seems to the Senator from South Dakota that the time in opposition would be controlled by the minority leader.

Mr. JOHNSON of Texas. That is true; but we have never had a problem in that connection. The majority leader and the minority leader take whatever time we have and allocate it to Senators in accordance with their positions. But if there is any time available beyond that, we allot it to any Senator who wishes to be heard.

Mr. KERR. Mr. President, the Senator from South Dakota was eminently correct. The Senator from Oklahoma was aware of the situation. He is not surprised at the confusion of the Senator from Oregon [Mr. NEUBERGER]. He does not expect him to understand either what the amendment is about, the effect of it, or who controls the time with reference to a discussion of it.

The fact of the matter is, as the Senator from South Dakota stated, that the minority leader is in control of the time in opposition to the Cotton amendment, for the simple reason that the majority leader favors the amendment. So the Senator from Oregon was entirely out of order as he attempted to silence the Senator from Oklahoma, who was speaking in time which he, acting in the position of the majority leader, had granted himself in which to say a word or two about the Cotton amendment.

In my judgment the Cotton amendment is salutary, but it would not cure the ills of section 12. While the Senator from Oklahoma is in favor of the Cotton amendment, he will be just as much opposed to section 12, if amended by the Cotton amendment, as he is opposed to it in its present form. However, the Senator from Oklahoma is supporting the Cotton amendment.

The PRESIDING OFFICER. The Senator from California [Mr. KUCHEL] has 11 minutes remaining.

Mr. KUCHEL. I understood that the senior Senator from Vermont [Mr. AIKEN] desires some time.

Mr. NEUBERGER. Mr. President, I share the view of the senior Senator from California [Mr. KNOWLAND]. I understood that the Senator from Vermont said he had some views to express on this amendment.

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time being charged to either side.

Mr. BUSH. Mr. President, will the Senator yield so that I may address a question to the distinguished chairman of the subcommittee?

Mr. KUCHEL. I yield 2 minutes to the Senator from Connecticut.

Mr. BUSH. I address this question to the distinguished Senator from Tennessee [Mr. GORE] and ask him to look at page 22, line 15 of the bill. I desire to ask his opinion about the meaning of the following language:

Any such agreement may, within the discretion of the Secretary of Commerce, consistent with the national policy, provide for excluding from application of the national standards segments of the Interstate System which traverse incorporated municipalities wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control.

I ask the Senator whether that language would permit the Secretary of Commerce to recognize the authority of a municipality through which a segment of the Interstate System passes to have its own way on the question of billboard control. I should like to have that question clarified for the Record. Is that language designed to give the Secretary the privilege of exempting from the billboard control provisions property within a municipality through which the highway runs?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BUSH. Mr. President, may I have 2 minutes additional to clarify this point?

Mr. KUCHEL. I yield 2 minutes additional to the Senator from Connecticut.

Mr. GORE. It is my understanding of the language which the Senator has read that the Secretary of Commerce is authorized to exclude from application of the standards, in any agreement reached with a State, those segments of the Interstate System within incorporated municipalities. The question was raised yesterday that this was a matter in which the Secretary of Commerce could exercise discretion. That I concede. However, the terms of the agreement must be agreed to by the Secretary of Commerce and the State. After conferring with the authors of the committee amendment I have agreed to accept an amendment to be proposed by the distinguished Senator from Ohio [Mr. LAUSCHE], to insert after the word "policy" on line 17—and I am reading from the Senator's amendment—these words: "and upon application of the State."

In other words, it would be clear from that language that if the State applied



for the exclusion of such an area, the Secretary would be authorized, in his discretion, to exclude it from application of the standards.

Mr. BUSH. That applies to the billboard section of the bill as well as to the other sections of the bill; does it?

Mr. GORE. This is a part of the billboard section of the bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KUCHEL. Mr. President, I yield 5 minutes to the distinguished senior Senator from Vermont.

Mr. AIKEN. Mr. President, while I recognize the good intentions connected with the Cotton amendment, I am rather apprehensive with respect to its application. I am thinking particularly in terms of my own section of the country. We were told that there would be access roads every 5 or 8 or 10 miles. Those intersections would be over land that was partly acquired prior to 1956.

However, that is not the main point. As the interstate highway progresses through the State, north and south, and east and west, it will cross an existing highway at least every mile or in a large part of the area at least every mile. Sometimes those crossroads are a quarter of a mile apart. Most of that land, having been acquired about 100 years ago, and certainly prior to 1956, would be available for the erection of billboards. The amendment would mean that over a good part of the State there would be a continuous forest of advertising signs. I must say in all fairness that at the present time my State does have a law which controls billboards very satisfactorily. In the event a future legislature should repeal that law, we would find ourselves very much surrounded by billboards in driving through the most attractive State in the Union, if I may say so.

Mr. KUCHEL. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from California has 4 minutes remaining and the Senator from Oklahoma has 9 minutes remaining.

Mr. KUCHEL. Mr. President, I yield 4 minutes to the Senator from Tennessee.

Mr. GORE. Mr. President, upon listening to the statement of the junior Senator from New Hampshire as to his intent and as to his understanding of the meaning of the amendment, I reached the conclusion that it is not as far reaching as I had originally thought. It is still, however, a restrictive amendment. If I may have the attention of the junior Senator from New Hampshire, I should like to point out that any section of the highway, any part of which encompassed any part of a right-of-way which a State owned prior to July 1, 1956, could not be regulated under the terms of the agreement. The provision beginning at the bottom of page 23, line 24, which provides for reimbursement of a State for 90 percent of the cost of the acquisition of the right-of-way, could apply, because it can apply without the reaching of an agreement.

Therefore, the effect of the amendment, upon further consideration, would

not be as far reaching as the junior Senator from Tennessee had originally thought. It would operate, it would seem to me, as a discrimination against the States. Suppose that the States wanted to exercise the regulation and desired to acquire the advertising easements and proceeded to do so. They could be reimbursed to the extent of 90 percent of the cost of acquiring the easements provided the cost did not exceed 5 percent of the right-of-way cost, but they would be denied the other financial incentive of one-half of 1 percent of the cost of the project.

Does the able Senator agree with that statement?

Mr. COTTON. If, under the existing act, without my amendment, the State controls its advertising, and does not control it in an industrial section, which is excepted in the bill, it does not lose the one-half of 1 percent, does it? It merely means that there is an additional amount of the highway for which the State does not receive the incentive money.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CASE of South Dakota. I welcome the statement of the Senator from Tennessee, because it coincides completely with the observation I made earlier, that the amendment offered by the Senator from New Hampshire does not deprive the State of its right to get a part of the cost of acquiring the rights.

The language at the bottom of page 23 says: "Whenever a State shall acquire."

It does not say whenever a State enters into an agreement. It says: "Whenever a State shall acquire by purchase or condemnation the right to advertise or regulate advertising" it shall be entitled, and so forth.

Mr. GORE. The Senator agrees with my interpretation of the amendment. Is that correct?

Mr. CASE of South Dakota. That is what I suggested earlier.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COTTON. Mr. President, I yield myself 3 minutes, in order to permit the Senator from South Dakota to finish his statement, and then I shall ask him a question.

Mr. CASE of South Dakota. It seems to me that this is the legislative process at its best. Here we are saying, with respect to existing rights, there will not be any confiscation or restrictive acquisition of such rights, but with respect to them, if a State wishes to purchase them, we will help the State purchase them; but with respect to new rights-of-way, we will say to the State, "If you will establish this policy with respect to new rights-of-way, then we give you an additional incentive."

Mr. COTTON. May I ask the Senator if there is anything in the amendment which would prevent the State from receiving its incentive amount if and when it acquired the right to control advertising in accordance with national standards?

Mr. CASE of South Dakota. If a State accepts the incentive payment and applies the policy with respect to new rights-of-way, it would also be entitled to receive a share of the cost of the acquisition. The incentive is for the purpose of establishing a policy with respect to the new rights-of-way. The sharing of the cost would apply to either old or new rights-of-way, but it would not be confiscatory in any sense. It seems to me there is another point that should be mentioned in that connection, and that is with respect to the existing rights-of-way. The cost of that would be somewhat different.

In the case of new rights-of-way, the cost-sharing should not be so great, because the value of the advertising rights on new rights-of-way is not comparable with that on the old rights-of-way.

Mr. COTTON. This amendment has four virtues. First, it would not confiscate or tear down existing billboards. Second, control would be exercised on that portion of the interstate system where it was most necessary and deserving. Third, it would reduce the cost. Fourth, it would adhere to the principle that advertising should be controlled on the portions of the highway where no advertising value existed before.

The problem has arisen only because the Federal Government has assisted the States to build new roads.

Mr. President, I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has been consumed. The question is on agreeing to the amendment of the Senator from New Hampshire [Mr. Cotton].

Mr. KUCHEL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. After all time has been yielded back, and in anticipation of a vote, a quorum call may be had without the time for the quorum call being charged to either side.

Mr. JOHNSON of Texas. Mr. President, what is the purpose of the quorum call? Does the Senator from California desire to have a vote?

Mr. KUCHEL. Yes; I desire to suggest the absence of a quorum prior to the vote. I do not have in mind asking for a yea and nay vote, but I have in mind letting the roll be called for a short time.

Mr. COTTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Hampshire will state it.

Mr. COTTON. If there is a quorum call, do I have the right, after the quorum call, to ask for the yeas and nays?

The PRESIDING OFFICER. Certainly. A Senator always has that right.

Mr. KUCHEL. Mr. President, do I understand correctly that the time for the quorum call will not be charged to either side?

The PRESIDING OFFICER. That is correct. The clerk will call the roll.



The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. Cotton].

Mr. KUCHEL. Mr. President, am I within my right to request that a division be had on this vote?

The PRESIDING OFFICER. Yes.

Mr. KUCHEL. I ask for a division.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire. A division has been requested.

On a division, Mr. Cotton's amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. LAUSCHE. Mr. President, I offer a perfecting amendment, on page 22, line 15, immediately after the word "significance", and the period to strike out "Any" and insert in lieu thereof "Upon application of the State any."

The PRESIDING OFFICER. Will the Senator from Ohio send his amendment to the desk?

Mr. LAUSCHE. It is being typewritten. I will send it to the desk in a moment.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 30 minutes.

Mr. LAUSCHE. Mr. President, the present language can be construed to mean that the discretionary power of excluding from the mileage that is to be covered by the nonbillboard provision lies only with the Secretary of Commerce.

My amendment makes it clear that the discretionary power shall be exercised by the Secretary of Commerce only when application therefor is made by a State.

The language of the bill now reads:

Any such agreement may, within the discretion of the Secretary of Commerce, consistent with the national policy, provide for excluding from application of the national standards segments of the Interstate System.

This language is susceptible to the interpretation that the discretion lies solely with the Secretary of Commerce, and that the individual States will have nothing to say about it. My amendment contemplates that the discretion of the Secretary of Commerce shall be exercised only when it is applied for by a State.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. GORE. If the amendment offered by the Senator from Ohio is adopted, the Secretary of Commerce would not be granted the discretionary authority unless the State applied for its consideration and exercise.

Mr. LAUSCHE. That is exactly what the amendment contemplates and achieves.

Mr. GORE. With the adoption of the Senator's amendment, where, then, is

the argument that the Secretary of Commerce would be authorized to exercise his discretion in a manner prejudicial to the State?

Mr. LAUSCHE. It is that argument I am trying to obviate by the amendment. The sum and substance of the amendment is that both parties would have to concur in the program excluding certain parts of the interstate highways from the billboard provision.

Mr. GORE. Both parties would, of necessity, concur under the provisions of the bill as it is, because an agreement cannot be reached except by at least two parties. But if the amendment offered by the Senator from Ohio shall be adopted, no such discretion can be exercised as is herein proposed, except upon the application of the States.

Mr. LAUSCHE. That is correct.

Mr. GORE. Then I accept the amendment.

Mr. KERR. Mr. President, I have not even seen the amendment.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. KERR. I do not know whether I have the floor.

Mr. O'MAHONEY. I wish to address a question to the Senator from Ohio.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Wyoming?

Mr. LAUSCHE. I am glad to yield.

Mr. O'MAHONEY. May I ask the Senator from Ohio to restate his amendment?

Mr. LAUSCHE. On page 22, line 15, after "significance," strike out "Any" and insert in lieu thereof "Upon application of the State any."

Mr. O'MAHONEY. I thank the Senator. Now I wish to ask him an additional question. I respect the constitutional knowledge of the Senator from Ohio.

Mr. LAUSCHE. I may say that it is negligible compared with the richness of the constitutional knowledge of the Senator who is now asking me a question.

Mr. O'MAHONEY. Now we are beginning to legislate. [Laughter.] Or, Mr. President, as is said in the vernacular, now we are beginning to cook on the front burner. [Laughter.]

I should like to direct the attention of the Senator from Ohio to page 21, beginning in line 6. I believe most sincerely that there is involved in this language a clearly unconstitutional delegation of congressional power. I now read from that part of the committee amendment:

It is hereby declared to be a national policy—

In that connection, I emphasize the phrase "national policy"—

that the erection and maintenance of outdoor-advertising signs, displays, or devices within 660 feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System should be regulated, consistent with national standards to be prepared and promulgated by the Secretary.

Here is a clear declaration that it is a national policy that the erection, main-

tenance, and display of such advertising signs shall be regulated.

But then the committee amendment says—

Which shall provide for:

(1) Directional or other official signs or notices that are required or authorized by law.

(2) Signs advertising the sale or lease of the property upon which they are located.

(3) Signs not larger than 500 square inches advertising activities being conducted at a location within 12 miles of the point at which such signs are located.

(4) Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

Does not the Senator from Ohio agree with me that the effect of this provision is, first, to declare as a national policy that the placing of billboards and signs shall be regulated, but shall be regulated "consistent with national standards" which would be prepared, not by the Congress, but by the Secretary of Commerce; and that the standards so prepared and so promulgated shall provide for the 4 things thereafter specified; but the committee amendment does not say that the standards shall provide only for those 4 things. Therefore, that section of the committee amendment would be construed by any court—and, in that connection, I refer particularly to the words "which shall"—among others—"provide for" as meaning that the Secretary of Commerce could provide for any standards he might please to provide for.

The principle of constitutional law, as I understand it, is that in delegating congressional power the Congress must itself set up the standards by which the person who is to exercise the power shall be controlled or limited.

But in this case that principle would be reversed; in this instance, the committee amendment would give the Secretary of Commerce the power to set up the standards, and the committee amendment merely specifies that a certain four shall be included.

Mr. LAUSCHE. Mr. President, I believe the case has been correctly stated by the Senator from Wyoming. My understanding is that the minimal requirements which are enumerated in the committee amendment as (1), (2), (3), and (4) are mandatory; they must be included by the Secretary of Commerce in the standards he will establish.

Mr. O'MAHONEY. That is correct. But he may establish others.

Mr. LAUSCHE. Yes; in addition, he may establish standards which are consistent with the policy declared in subsection (a), which states or declares the national policy.

Mr. O'MAHONEY. Yes; and the national policy is that they should be regulated. But the committee amendment does not specify how they should be regulated. The "how" is to be determined by the Secretary of Commerce; he is to be given that power.

Mr. LAUSCHE. No; I think subsection (a) directs the Secretary of Commerce mandatorily to include in the reg-



ulations the matters covered in the paragraphs marked (1), (2), (3), and (4).

Mr. O'MAHONEY. I agree completely as to that. But this part of the committee amendment will enable the Secretary of Commerce to go much further.

I have discussed this matter with the very able and distinguished Senator from Tennessee [Mr. GORE]; and when it is proper for me to do so, I shall offer an amendment to strike out the words "provide for," in line 13, and to insert in lieu thereof "include the following four objectives, and none other." I that way there will be a definite limitation on the power which the Congress will have delegated to the Secretary of Commerce.

Mr. President, I thank the Senator from Ohio for yielding to me.

Mr. KERR. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. Is the Senator from Oklahoma controlling the time in opposition to the amendment of the Senator from Ohio?

Mr. KERR. I do not know. Has the majority leader stated his position?

Mr. JOHNSON of Texas. Mr. President, let me inquire whether the Senator from Oklahoma is in favor of the amendment of the Senator from Ohio or is opposed to it.

Mr. KERR. I do not know; I am trying to find out what the amendment would do.

The PRESIDING OFFICER. Under the provisions of the unanimous-consent agreement, a Senator who is to control part of the available time must first determine whether he favors or opposes the amendment then pending.

Mr. KERR. Mr. President, I have not yet determined that.

Mr. JOHNSON of Texas. Then, Mr. President, I yield to the Senator from Oklahoma 2 minutes on the bill.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 2 minutes on the bill.

Mr. KERR. Mr. President, in one place the amendment of the distinguished Senator from Ohio would strike out the word "Any." But in another place, the amendment would restore the same word.

I wish to say that I still do not understand the amendment of the Senator from Ohio. However, I can see how it could add to the confusion already existing in the minds of the sponsors of section 12 and already existing by reason of section 12 and by reason of the so-called clarifying and perfecting amendments.

Mr. President, I shall not object to the amendment of the Senator from Ohio, but I certainly am of the opinion that the amendment is far from a perfecting amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. Mr. President, let me say that the word "Any" was proposed to be stricken out by my amendment because the word commenced with a capital letter; and my amendment proposes that the word "any" be reinserted

because it comes in the middle of the sentence and must be decapitalized.

Mr. KERR. But the copy of the amendment which has been handed to me has a capital letter both for the "A" in the case of the proposal to strike out the word "Any" and in the case of the letter "A" in the word which is proposed to be inserted by means of the amendment.

Will the Senator from Ohio examine the copy I have of the amendment, and then tell me whether I am in error?

You see, Mr. President, on yesterday the Senator from Tennessee [Mr. GORE] told me that the language of the committee amendment did not mean what it says.

Mr. GORE. O Mr. President, just a moment. [Laughter.]

Mr. KERR. Now will the Senator from Ohio tell me whether the letter "A" in his amendment is or is not capitalized?

Mr. LAUSCHE. It is capitalized.

Mr. KERR. And is the copy I hold in my hand a copy of the amendment of the Senator from Ohio?

Mr. LAUSCHE. Yes.

Mr. KERR. Certainly this copy does not show the word "Any" spelled with a small letter "a." [Laughter.]

Mr. LAUSCHE. But the amendment show the letter "a" uncapitalized.

Let me say that those whom we pay and those whom the Senator from Oklahoma and I hire are responsible for the fact that the letter "a" is shown as a capital letter, instead of a small letter or noncapital letter "a." [Laughter.]

Mr. KERR. Mr. President, those whom we hire—although I know not whom the Senator from Ohio and I hire as "we"—may be responsible for capitalizing the letter "A" on this piece of paper. But the Members of the United States Senate will be responsible for putting it into this bill, if it is put into it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. Mr. President, let me ask the unanimous consent of this august body that the capital letter "A", as typed into the amendment, be changed to a small letter "a."

The PRESIDING OFFICER. The Senator from Ohio has a right to modify or change his own amendment, and it will be modified accordingly.

The question is on agreeing to the modified amendment of the Senator from Ohio [Mr. LAUSCHE]. [Putting the question.]

The amendment was agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. HRUSKA. Mr. President, I call up the amendment which I have at the desk, and ask that it be stated.

The PRESIDING OFFICER. The amendment proposed by the Senator from Nebraska will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 21, to strike out lines 21 through 24, after the numeral (4), and insert in lieu thereof the following language:

Signs erected and maintained pursuant to permission or authorization under State law, regardless of size, and designed to give information in the specific interest of the traveling public.

Mr. HRUSKA. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 5 minutes.

Mr. HRUSKA. Earlier today a question was asked by the junior Senator from Virginia [Mr. ROBERTSON] as to whether subsection (4) on page 21 of the bill was modified by subsection (3) contained on that page.

Subsection (4) recites and states that "signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section" are among the national standards which will be included in the list of standards set by the Secretary of Commerce.

The preceding section, subsection (3), states: "Signs not larger than 500 square inches." That is about the size of the placard on the easel in the rear of the Chamber.

The question was asked, with regard to subsection (4), if signs would be limited to 500 square inches. The interpretation was stated that subsection (3) did not modify subsection (4).

The purpose of my amendment is to spell that understanding out in no uncertain terms; therefore, I propose insertion of the words "regardless of size" and the elimination of the words "and not inconsistent with the national policy and standards of this section."

It is my hope the authors of the bill who contended for that interpretation will not interpose objection to my clarifying amendment.

The PRESIDING OFFICER. Is there objection to the amendment?

Mr. KUCHEL. Does the able chairman of the subcommittee desire to speak on the amendment?

Mr. GORE. Will the Senator yield 3 minutes to me?

Mr. KERR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KERR. Is the Senator from California in opposition to the amendment?

Mr. KUCHEL. Yes.

Mr. KERR. Then I am in favor of it.

Mr. KUCHEL. I yield 3 minutes to the able Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 3 minutes.

Mr. GORE. Mr. President, the proposed amendment incorporating the words "regardless of size" would, in effect, prevent the Secretary of Commerce from entering into an agreement providing for regulation of billboards in conformity with the policy herein stated, "to promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investment in the National System of Interstate and Defense Highways."

If the Senate desires to adopt an amendment which would be inserted in



that section of the bill designed to protect the right of local interests to reasonable advertising, and thus make it mandatory that the Secretary must include in the standards, a prohibition against regulation of billboards, regardless of size, then the Senate may as well face the issue; and I yield back the remainder of my time.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. GORE. Yes; if I have time.

Mr. HRUSKA. I yield myself five minutes for the purpose of asking a question. I should like to inquire whether the Senator from Tennessee, in his judgment, thinks subsection (4), as it now reads in printed form in the bill, contains any size limitation.

Mr. GORE. Will the Senator restate his question?

Mr. HRUSKA. Does subsection (4) as it is printed in the bill, have inherent in it any limitation on the size of signs which can be displayed?

Mr. GORE. Specified by footage or square inches, no; but it would authorize provision signs of the type described within the criteria of reasonableness, and not inconsistent with the national policy and standards of this section. What are the national policy and standards of this section? They are:

To promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investment in the National System of Interstate and Defense Highways.

The amendment offered by the Senator from Nebraska would insert therein the words "regardless of size." It would, in my opinion, nullify the whole provision.

Mr. HRUSKA. The standards also include the limitation of the size of signs to not more than 500 square inches. Why does the Senator disregard that particular part of the national policy spelled out in the standards? It was stated earlier that subsection (3), which sets some of the standards, limits the size of signs to not larger than 500 square inches. We were told by the author of the bill and the Senator from California that standard does not apply to subsection (4). We were told earlier there was no size limitation in subsection (4). Is that true or is it not?

Mr. GORE. There is no specific size limitation in subparagraph (4) on page 21, but there is this provision:

Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section.

Mr. HRUSKA. And one of the standards is 500 square inches.

Mr. GORE. May I answer the Senator further?

Mr. HRUSKA. Yes.

Mr. GORE. To the junior Senator from Tennessee that means the standards must include the provisions spelled out or stated in subsection (4), that they shall be consistent with the national policy. The amendment of the Senator from Nebraska would strike that provision and state the standards must provide for signs "regardless of size." The words "regardless of size" remove

reasonableness. They remove discretion. They open the gate wide, and state that the Secretary must provide in his standards for the erection of signs "regardless of size." Those are the words of his amendment.

Mr. HRUSKA. That is exactly the wording, except that the signs would have to be approved under authorization of State law and be permitted pursuant to State law. If a State legislature saw fit to act on the matter, I think it would be just a little bit closer to the people of the State than would the Secretary of Commerce, who is not an elected officer. If it is the position of the Senator from Tennessee that he would rather trust to the wisdom of the Secretary of Commerce than rely upon the elected members of the respective legislative bodies, I should like to be informed on that point.

Mr. GORE. Will the Senator yield?

Mr. HRUSKA. Yes.

Mr. GORE. If the Senator from Nebraska is asking the junior Senator from Tennessee his preference, the junior Senator from Tennessee is glad to state that he seeks reasonable regulation of billboards along the Interstate System, in conformity with the policies and standards herein provided, in preference to the provisions of the Senator's amendment, which would require the Secretary, if he issued standards, to provide for signboards "regardless of size."

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a question?

Mr. HRUSKA. I yield.

Mr. CASE of South Dakota. I think the Senator is seeking to achieve a desirable result. It occurs to me that the use of the words "regardless of size" does open the door, and suggests to the States, almost, that the sky is the limit.

Has the Senator considered as an alternative striking out the two words in line 23, "and standards"? I would be obliged, I think objectively, to agree that when the words "and standards" appear in the bill they embrace subsection (3), which prescribes the size and distance for certain signs.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HRUSKA. The Senator from Nebraska did consider that possibility, but unfortunately if we leave in the words about national policy, the national policy as defined on page 21 includes subparagraph (3), which limits the size of the signs of 500 square inches.

Mr. CASE of South Dakota. The Senator from South Dakota does not agree with that interpretation. Of course, the Senator from Nebraska is entitled to his opinion.

I believe the description of signs in terms of inches or feet and distances establishes a precise standard. I think that is a standard.

Mr. HRUSKA. Very well.

Mr. CASE of South Dakota. I think, however, that a policy as described in the words above, where the reference is made to the policy, is different. The language is:

That the erection and maintenance of outdoor advertising signs, displays, or devices within—

A certain distance of the highway, and so forth—  
should be regulated.

I think that is the definition of policy. That is also true of the earlier language:

To promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investment.

I think all such language is policy. I think the standards come in primarily in subparagraph (3).

It occurred to me that the purpose which the Senator seeks to achieve, which I believe has some merit, would be accomplished by striking out of subsection (4) the words "and standards," which would still maintain the policy and give some leeway or discretion.

Mr. POTTER. Mr. President, will the Senator yield at that point?

Mr. HRUSKA. I yield.

Mr. POTTER. On page 21, line 6, it is stated as a declaration of national policy:

It is hereby declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within 660 feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System should be regulated, consistent with national standards to be prepared and promulgated by the Secretary, which shall provide for.

Then there is listed, as one of the standards, as a part of our national policy, subsection (3), with which the Senator is concerned.

In other words, subsections (1), (2), (3), and (4) are part of our national policy.

Mr. HRUSKA. The Senator is correct.

Mr. POTTER. Even if we eliminate the words "and standards" in subsection (4), subsection (3) remains as a part of the national policy.

Mr. HRUSKA. If the Senator does not mind, since I am on limited time, will the Senators please get time from the opponents of the amendment?

Mr. President, earlier today it was stated in the Chamber by the authors of the bill that subsection (4) does not embrace the proposition of the limitation on the size of signs. The amendment which I have proposed would place that in no uncertain terms, in very understandable English. I submit again it is a meritorious amendment, in view of the interpretation placed on the subsection by the authors of the bill, and it should be adopted.

Mr. KERR. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield to the Senator from Oklahoma.

Mr. KERR. I wish to congratulate the Senator from Nebraska for offering the amendment, because a little while ago, when the junior Senator from Virginia was present in the Chamber, he specifically asked the sponsors of the proposed legislation if subsection (4) were limited by the provisions of subsection (3), and he received the answer that it was not.

Mr. HRUSKA. That is correct.

Mr. KERR. It was stated that the limitation of 500 square inches contained in



subsection (3) did not limit the application of subsection (4), which exempted signs erected or maintained pursuant to authorization in State law.

Mr. HRUSKA. That is correct.

Mr. KERR. As I understand the amendment offered by the Senator from Nebraska, the only thing he seeks to accomplish is to make a reality of the interpretation which the sponsors themselves have claimed for the bill. The Senator's amendment would make it clear, so that if a sign is authorized or permitted by State law, it would be exempt from the regulation. That is in accord, as I understand, with the statement of the sponsors of the bill as to what subsection (4) was calculated to accomplish.

Mr. HRUSKA. That is my intention. The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CASE of South Dakota. Mr. President, will the Senator yield some time to me?

The PRESIDING OFFICER. Does the Senator from California desire to yield time?

Mr. KUCHEL. Before I do, I wonder if my friend from Nebraska would join in asking for the yeas and nays on this amendment.

The PRESIDING OFFICER. The yeas and nays have been requested. Is there a sufficient second?

The yeas and nays were ordered.

Mr. KUCHEL. I now yield 3 minutes to the able Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, the point on which I wish to speak is whether subsection (3) is one of the standards. I think when the Senator from Michigan read the language on page 21, when he came to the words "consistent with national standards to be prepared" and so forth, it bothered him a little bit to continue reading. Perhaps I am unfair in suggesting that.

Let me read the sentence with the emphasis which I think is pertinent in the situation:

It is hereby declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within 660 feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System should be regulated, consistent with national standards to be prepared and promulgated by the Secretary, which shall provide for.

Then follows the enumeration of the national standards, or at least 3 or 4 of them.

With all due deference to whoever said subsection (4) was not modified by subsection (3), I think subsection (4) is modified by subsection (3). I think when the words "and standards" appear in subsection (4) they refer back to the standards of subsections (1), (2), and (3), which are the standards which are to be provided by the Secretary by the very language of the bill. I think that subsection (3) is a standard.

If we delete the words "and standards" then we merely have a policy and not precise standards.

Mr. HRUSKA. Therefore, I assume the Senator from South Dakota is supporting my amendment?

Mr. CASE of South Dakota. What is that?

Mr. HRUSKA. Therefore I assume the Senator from South Dakota is supporting my amendment?

Mr. CASE of South Dakota. The Senator would be supporting the amendment if the amendment were to strike out the words "and standards", but the Senator from South Dakota finds it impossible to support the amendment if the Senator wishes to state "regardless of size" because it seems to me the Senator from Nebraska would thereby open the door so wide that the whole provision might become rather meaningless.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I am happy to yield.

Mr. POTTER. The controversy concerns whether the standards mentioned (1), (2), (3), and (4) are part of the national policy. The Senator suggests we could strike out "and standards" and by so doing we would eliminate the question which the Senator from Nebraska has raised. However, in the definition of the national policy there is one sentence, and a part of the national policy is "consistent with national standards to be prepared and promulgated by the Secretary, which shall provide for."

Then there are (1), (2), (3), and (4) subsections. I say that the standards which are listed are parts of the national policy.

Mr. CASE of South Dakota. Mr. President, I think the policy is that signs within a certain distance of the highway should be regulated.

The PRESIDING OFFICER. The time of the Senator has expired. Does the Senator from California desire to yield additional time?

Mr. FLANDERS. Mr. President, will the Senator yield me 2 minutes?

Mr. KUCHEL. Mr. President, I yield 2 minutes to the Senator from Vermont.

Mr. FLANDERS. I should like to interrogate the Senator from Nebraska. I am a little puzzled by the amendment offered by the Senator, in this regard: Will or will not the amendment permit, under subsection (4), signs of any size whatever to be set up in accordance with State provisions, still allowing the one-half of 1 percent payment?

Mr. HRUSKA. Oh, yes. All the signs which are permitted by subsections (1), (2), (3), and (4) would be permitted, and the States would still qualify for the one-half of 1 percent. That is correct.

Mr. FLANDERS. Even using the Senator's words, without any size limitation?

Mr. HRUSKA. So long as the signs are approved by the State legislatures, or authorized by State law, that would be true. That was the interpretation which was placed upon subsection (4) by the authors of the proposal earlier today. I did not conceive that idea. I would not like to have the authors of the bill get the advantage of subsection (3) not qualifying subsection (4), and at the same time have the courts construe the law the other way around. I do not think the authors should ride 2 horses at the same time, unless there are more than 2 of them involved.

Mr. FLANDERS. I may say to the Senator that I am in the position of the one black crow listening to the other black crow play the tin flute, when he said, "Even if it was good, I wouldn't like it."

This amendment is evidently an entrance for signs of unlimited size, and it would still make the State eligible for the one-half of 1 percent allowance.

Mr. HRUSKA. It is the contention of the authors of the bill that subsection (4) is not limited with respect to size.

Mr. FLANDERS. "Even if it was good, I wouldn't like it."

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield to the Senator from Utah.

Mr. WATKINS. Does not the Senator interpret his amendment to mean that subsection (3) is practically rendered valueless? In other words, the 500 square inches would be out of the picture if the legislature wanted to make it different.

Mr. HRUSKA. That is correct; but there would still be the 12-mile limitation. The sign would have to advertise activities within 12 miles of the location of the sign.

Mr. WATKINS. I should like to see some standards. I favor reasonable regulation of billboards, but I believe that 500 square inches is not a reasonable-sized billboard under the circumstances. For example, in my State there is one highway, a defense interstate highway, which runs from the north end of Utah to the south end of Utah, a distance of nearly 400 miles. It runs near by many small communities. Those communities would have no opportunity whatsoever to tell what they had in the various communities, unless the size of the billboard were increased.

Mr. HRUSKA. And the increase in size of the billboard will be up to the State legislature. I venture to say that the State capitol of Utah is much closer than the office of the Secretary of Commerce.

Mr. WATKINS. I understand that; but it seems to me that what is proposed is totally inconsistent with subsection (3). I do not agree with subsection (3) as now written, but I find difficulty in going along with what the Senator says, because his amendment would eliminate any standard with respect to size. I think there should be some standard with respect to size.

The PRESIDING OFFICER (Mr. CHURCH in the chair). The time of the Senator from Nebraska has expired.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. How much time remains available to each side?

The PRESIDING OFFICER. The Senator from Nebraska has 15 minutes remaining and the Senator from California [Mr. KUCHEL] has 23 minutes.

Mr. KUCHEL. I yield myself 3 minutes.

Mr. President, during the discussion of the amendment offered by the distinguished Senator from Nebraska, allusion has been made to the intention



which was expressed by the authors of this amendment with respect to subsections (3) and (4).

Last night the distinguished Senator from Tennessee [Mr. GORE], I believe by actual count, answered 17 times the question as to what the intention was with respect to subsections (3) and (4).

Mr. GORE. Eighteen times.

Mr. KUCHEL. It ought to be very simple. I ask Senators to read subsections (3) and (4) on page 21.

But aside from everything else, how ridiculous it would be now to say that States may legislate on the subject of signs regardless of size. What kind of regulation is that?

What we had in mind was that we would endeavor to indicate to the States that what they did in a reasonable manner would be acceptable to a reasonable Government of the United States. How, now, can anyone justify saying "regardless of size" and writing it into a Federal law which seeks to indicate the incentive basis for State legislation?

Mr. GORE. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. GORE. If a Secretary of Commerce should be so unwise as to promulgate such standards and so unwise and inconsiderate as to enter into agreements with the States in conformity therewith, the United States Government would be obligated to pay 90 percent of the cost of acquiring such advertising easements, which provision would have no effect whatever, because the signs could be erected regardless of size.

Moreover, the Federal Government would be required to pay one-half of one percent of the cost of the interstate highways throughout the States.

Mr. KUCHEL. The Senator is correct.

Mr. GORE. I join the Senator in asking, How ridiculous can we become?

Mr. KUCHEL. I thank the Senator.

Mr. NEUBERGER. Mr. President, will the Senator yield to me for a question?

Mr. KUCHEL. I yield 2 minutes to the Senator from Oregon.

Mr. NEUBERGER. Is it not the opinion of the Senator from California that if this particular amendment is adopted it will reduce nearly to a nullity the very mild regulation we are attempting to bring about in cooperation with the States?

Mr. KUCHEL. There is no question about it. If we attempt in Congress to legislate in this field by saying to the States, "Regardless of the size of signs which you determine are necessary, we will approve your determination," there will be no regulation whatever. No one should be fooled.

Mr. NEUBERGER. I should like to ask the Senator from California another question.

As is his inalienable right as a citizen and a Member of the Senate, the Senator from Nebraska, if I am not mistaken, all during the consideration of the bill has consistently opposed any regulation or control of signboards. Is not that true, according to the recollection of the Senator from California?

Mr. KUCHEL. I thought there was a time when the Senator from Nebraska was about to come over to our side.

Mr. NEUBERGER. The point I wish to make with respect to the proposal of our good friend from Nebraska is that the proposed amendment to our very mild billboard regulation measure comes from someone who, to my knowledge, has been very adamantly opposed to the entire proposal which has been added to the bill.

Mr. KUCHEL. I do not think there is any way of interpreting this amendment, with the phrase "regardless of size" in it, except as an amendment which would completely destroy our intention.

Mr. NEUBERGER. Would it not be possible, under this amendment, to have the most enormous kind of so-called 24-sheet signs near the interchange, saying "Blatz beer served at tavern around the corner," or "one-half mile away," or virtually any other kind of advertising?

Mr. KUCHEL. There is no question about it. If the Congress were to say "regardless of size," that could be the result. The Federal Government would have no right to sit in judgment as to what was reasonable. A billboard might be as large as the Capitol, and nothing could be done about it.

Mr. NEUBERGER. It seems to me that such a proposal would render the bill a nullity.

Mr. HRUSKA. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HRUSKA. How much time remains to the proposer of the amendment?

The PRESIDING OFFICER. The Senator from Nebraska has 15 minutes left.

Mr. REVERCOMB rose.

Mr. HRUSKA. I allow myself 3 minutes, and yield to the Senator from West Virginia for a question.

Mr. REVERCOMB. Mr. President, let me say to my colleague from Nebraska and to other Members of the Senate that I heard with surprise the statement that certain Senators who have discussed the bill have said that there was no relation between subsection (3) and subsection (4). With the greatest deference to any opinion which may be held by them, I very definitely disagree.

I believe the four provisions, which are a statement, to some extent, of the policy spoken of in this section, are related and must be read together. It would seem to me, and it is my understanding of the provision of subsection (3), that there is a limitation of size of 500 square inches, and when subsection (4) is read along with it, the application of the limitation of the size has to be had in any part of the use of the subsections. I believe that to be the intent. If I read them together, that would be the conclusion that I must definitely reach. Therefore, if the amendment of the able Senator from Nebraska is adopted, using the words "regardless of size," it completely negates the limitation placed upon size in subsection (3).

Mr. HRUSKA. If the authors of the bill are willing to say that subsection

(3) does qualify subsection (4), I am willing to withdraw my amendment forthwith. However, I would suggest to the Senate that the distinguished Senator from Virginia [Mr. ROBERTSON] is here, and the Senator who answered his query is here. If they would like to repeat their statements, I shall ask the Senate to judge for itself whether my amendment does not put the interpretation of those two subsections together.

Mr. KUCHEL. Mr. President, I yield myself 2 minutes. I stated to the able Senator from Virginia that this part of the bill—and I refer to page 21, subsections (1), (2), (3), and (4)—was drafted so that the wording of the separate subdivisions would constitute an unrelated provision for the regulations which the bill contemplates would be laid down by the Secretary of Commerce, and that each subsection would stand on its own feet and refer to the additional responsibility which the Secretary would have to discharge by enumerating the standards. Under that interpretation it was easy for me to tell the Senator from Virginia that when we read No. (4) it has no relation to No. (3), and that it was to be judged separately and apart. I said that. The able Senator from Oregon gave the same opinion. I believe a reading of the language, and the fact that each one of the subdivisions is separate in paragraph form, would add to that understanding.

Mr. ROBERTSON. The junior Senator from Virginia accepted that explanation of the sponsors of the amendment in the bill, and he feels that the pending amendment goes far beyond that. As pointed out by the Senator from Oregon, it takes off all limitations. It applies not only to the intersections, in which the Senator from Virginia was interested, but everywhere along the line. If the State, by permission or law, puts no limitation on it, there is no limitation.

Mr. KERR. Mr. President, will the Senator from Nebraska yield so that I may ask him a question?

Mr. HRUSKA. I yield.

Mr. KERR. First I wish to congratulate the Senator for presenting his amendment. All it does is to implement what the sponsors of section 12 said was inherent in it. All the Senator from Nebraska is seeking to do is to exempt from regulation signs which are authorized under State law. Is that correct?

Mr. HRUSKA. That is correct. There has been a great deal of lipservice rendered to the idea of States interesting themselves in the regulation of billboards. All the amendment does is to give them that opportunity, pursuant to the interpretation placed upon these sections by the authors of the bill.

Mr. KERR. I wish to congratulate the Senator on the amendment. I hope it will be adopted.

SEVERAL SENATORS. Vote! Vote!

Mr. HRUSKA. Mr. President, I am prepared to yield back the remainder of my time, if the Senator from California is willing to yield back the remainder of his time.



Mr. KUCHEL. I have in mind suggesting the absence of a quorum, and, for the benefit of absent Senators, reserving only 1 or 2 or 3 minutes, so that the opponents and proponents of the amendment may speak very briefly before a vote is had.

The PRESIDING OFFICER (Mr. CHURCH in the chair). Does the Senator from California suggest the absence of a quorum?

Mr. KUCHEL. I should like to ask—

The PRESIDING OFFICER. The time will come out of the Senator's time.

Mr. KUCHEL. I ask unanimous consent that I may suggest the absence of a quorum, with the understanding that the time will not come out of the time allotted to either side.

Mr. KERR. Mr. President, I understood the Senator from Nebraska to agree, if the Senator from California agreed, to yield back the remainder of his time.

The PRESIDING OFFICER. Does the Senator from California yield back the remainder of his time?

Mr. KERR. If the Senator yields back his time, no unanimous consent will be required for the time taken for the rollcall. Am I to understand that the Senator from Nebraska has not yielded back his time, if the Senator from California has not yielded back his time?

The PRESIDING OFFICER. That is correct.

Mr. KERR. I have no objection.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator is suggesting the absence of a quorum.

Mr. KUCHEL. Has my unanimous-consent request been granted that the time be not charged to either side?

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? Without objection, it is so ordered.

The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I yield 3 minutes to the junior Senator from Oregon.

Mr. NEUBERGER. Mr. President, before we vote on the amendment, which goes to the very heart of the bill, I wish to make a brief plea to the members of my own party. I have been a Democrat all my life. If I am not mistaken, I am the first Democratic Senator from my State in 40 years.

Our party has been a party of conservation. I urge my fellow Democrats not to let the brand of billboards be put on our political party. I have heard it said, in the name of States rights, that we must not pass the mildest kind of bill to provide for cooperative agreements with the States to regulate signboards. Yet ours is the party which favored, and favored strongly, only recently, a measure which tells every cotton and corn farmer how many acres

he can plant on his own land. Still, we are told that it is "Russia" or "Hitler" to pass the mildest kind of bill to regulate signboards along highways for which the Federal Government puts up 90 percent of the cost.

In my opinion, this is an issue which the people across the broad face of the land understand, and understand fully. The women in the garden clubs understand the issue. So do the men in the outdoor clubs and wildlife groups and Audubon Societies. So do the scoutmasters and all others who love the countryside. They understand the issue, and they understand it fully.

In this country the boys and girls in the schools are taught to sing America the Beautiful. I hope that the Democratic Party, which has produced such great conservationists as Franklin D. Roosevelt, and many others in our tradition, will not now let itself become saddled with the harness of the billboard lobby.

Mr. KNOWLAND. Mr. President, I yield 3 minutes to the Senator from Tennessee.

Mr. GORE. Mr. President, as chairman of the subcommittee, I regard this as a test vote. If the amendment should be adopted, then the Senate will be in the unusual position of authorizing the Secretary of Commerce to enter into agreements with the States, by which the States will be entitled to incentive payments, while directing that the Secretary, if he issues standards to be incorporated in those agreements, must provide for the erection of billboards "regardless of size." That is a quotation from the amendment.

Does the Senate want to place itself in the anomalous position of holding out the possibility of States receiving one-half of 1 percent of the cost of the Interstate Highway System—for doing what? For purchasing advertising easements which would permit the erection of signs regardless of size.

Of what value would be the easement the States would purchase, if there is permitted the erection of signs regardless of size? Yet that is the position the Senate will take if it votes for the amendment. I call this vote a test of whether the Senate wants to bring about reasonable regulation of outdoor advertising on the new system of interstate and defense highways "to promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investment in the National System of Interstate and Defense Highways."

Two years ago the Senate passed a bill which provided that in order for the States to qualify for 90 percent reimbursement of the cost of the new system of expressways, the States must limit access to those highways. That means that although a man lives beside the highway, although he owns a farm alongside which the highway passes, although he has a business adjacent to it, he is not permitted to enter upon the highway freely. He must proceed 1, 2, 3, or 5 miles to a cloverleaf, to a point of access, where he can enter the stream of traffic under regulated conditions, with safety

to himself and the stream of traffic into which he will enter.

How does it happen that we can deny to a farmer who lives beside a public highway the right to use the highway except under regulated conditions, yet be asked to direct the Secretary of Commerce, in the promulgation of standards, to provide for the erection of billboards regardless of size?

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. KNOWLAND. I yield 2 more minutes to the Senator from Tennessee.

Mr. GORE. How does it happen that the Senate, which has, in the name of safety and national defense, passed a bill to provide a system of expressways of limited access which denies to a businessman the right to the full use of the highway, but instead requires him to enter the highway under regulated conditions, will not, if it votes for the amendment, require the outdoor advertising industry to be regulated also? Regulated for what? For safety, for the free and rapid flow of traffic, for the same reasons for which we denied the farmers, homeowners, and businessmen the right of free access to the highways.

Yes, I think the Senate should pause, think, and ask itself why it would impose a limitation of access on every person who uses the highways, except possibly the outdoor advertising industry. Is that the position the Senate wants to take? It is not the position which the junior Senator from Tennessee will take.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

SEVERAL SENATORS. Vote! Vote!

Mr. KERR. Mr. President, will the Senator from Nebraska yield 5 minutes to me?

Mr. HRUSKA. I yield 5 minutes to the Senator from Oklahoma.

Mr. KERR. I am greatly amused at the mental agony and physical pain of the sponsors of section 12, now that they are face to face with a provision that does no more than they themselves have said was inherent in the language of section 12.

The Senator from Oregon [Mr. NEUBERGER] was offended and outraged that certain provisions were referred to as being on a par with the action of Hitler and Russia. I am the one who referred to them. I was referring to the proposal to have the Federal Government take from private citizens vested property rights without paying for them.

Mr. President, where else in the civilized world are parliamentary authorities seriously considering such a legislative enactment? One would have to go to Russia or some place like that to find where the government would wish to take from the private citizens their property rights without paying for them.

Yet the sponsors of this proposed legislation have stated on the floor of the Senate that under this proposal there would be created a situation in which the Federal Government would pay money to the States, in return for action by the States to acquire these rights, either by the right of eminent domain or by means of the police power. I sub-



mit that such a procedure would be the procedure which one would find followed only in Russia or in some country like it.

The Senator said that 2 years ago the Senate voted for a bill to limit access roads. He said that measure took from the property owners along the right-of-way the right of access by their customers and prospective purchasers. That is true. Mr. President, do you know why that was done? It was done because under the lashing whip exercised by the great Senator George of Georgia, even the Senator from Tennessee [Mr. Gore], himself, fled in terror from sponsoring this very amendment. This billboard amendment was in that bill, 2 years ago. At that time the Senator from Georgia said, "You shall not do this to the people of my State and not pay them for it."

Here is what the Senator from Tennessee said at that time, 2 years ago:

Mr. GORE. Few bills of the magnitude of S. 1048 have ever been before the Congress. It may be that the committee has erred in including a provision which is extraneous to highway legislation. The committee was undertaking to facilitate the acquisition of lands by the States.

At that time the proposal was to purchase those rights. But now it is proposed that they be taken from the owners by means of the police power.

Then the Senator from Tennessee said:

As chairman of the subcommittee, I have conferred with members of the subcommittee, and we are unanimous in our feeling that such a small matter as this should not in any way endanger the bill.

On that occasion, 2 years ago, he was referring to the billboard amendment.

Then the Senator from Tennessee said:

Therefore, Mr. President, I ask unanimous consent that the junior Senator from Oregon, without losing his right to the floor, may yield to the junior Senator from South Carolina [Mr. THURMOND] to propose an amendment which I believe will be agreed to without objection.

Mr. President, what was the amendment? It was the same one that the Senator from Oklahoma, the Senator from Pennsylvania, the Senator from Nebraska, and the Senator from North Carolina are sponsoring now, namely, to strike the billboard provisions from the highway construction bill.

So, 2 years ago, that language was stricken from the bill. After it was stricken from the bill, the bill was passed. That bill did not permit the property owners along the highway to have the right to have their customers have access to their places of business before they went to the cloverleaf; but the bill did not deprive the property owners of the right to put up signs there, to tell their customers how to reach the cloverleaf and then to reach their places of business.

So 2 years ago, these Senators took steps to provide that the customers would not be able to reach the places of business along the highway without going to the cloverleaf. But then the Senator fled in terror from an amendment which would have deprived the owner of the right to erect a sign to tell

the customers how to go to the cloverleaf and then to reach the owner's place of business.

But now, in the name of esthetics, whatever it may be, and however it may be spelled—

The PRESIDING OFFICER (Mr. CHURCH in the chair). The time yielded to the Senator from Oklahoma has expired.

Mr. KERR. Mr. President, I ask the Senator from Nebraska to yield 1 more minute to me.

Mr. HRUSKA. I yield 1 additional minute to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 1 additional minute.

Mr. KERR. So, Mr. President, now, in the name of culture and esthetics, these Senators are asking the Senate of the United States to adopt the amendment which they, themselves, asked the Senate to strike out, 2 years ago.

Mr. President, the amendment of the Senator from Nebraska provides only that if a billboard is permitted or authorized by State law, it shall not be subject to the police power, the pistol-toting power, and the regulatory power of the Secretary of Commerce.

Mr. President, I think the amendment of the Senator from Nebraska should be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. HRUSKA].

Mr. CASE of South Dakota. Mr. President, will the Senator from California yield me some time?

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 5 minutes.

Mr. CASE of South Dakota. Mr. President, whenever an amendment is offered by my distinguished friend, the Senator from Nebraska [Mr. HRUSKA], my natural impulse is to favor it. Whenever I hear the able Senator from Oklahoma [Mr. KERR] wave the flag, I always seek an opportunity to get right behind him in the procession and to go down the road with him.

But in this instance I think the Senate should realize what the issue is. The pending amendment would not strike the billboard provision from the committee amendment. Senators who vote for the pending amendment will not be voting to strike the billboard provision from the committee amendment. The vote which soon will be taken will be on the question of agreeing to the amendment of the Senator from Nebraska, which proposes that certain language of the committee amendment be changed.

Let me read the language which would be changed by means of the amendment of the Senator from Nebraska. It is to be found on page 21, following the provisions about permitting the Secretary of Commerce to enter into agreements with the States. I read now from page 21, beginning with line 21:

(4) Signs erected or maintained pursuant to authorization in State law and not in-

consistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public—

Mr. President, under that provision the Secretary of Commerce would have to insure that the agreements would provide for signs "erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public."

The agreement would have to permit such signs. If the States qualified under this provision, they would be entitled to receive an additional one-half of 1 percent of the cost of the projects covered by the agreement.

The Senator from Nebraska proposes to strike out that language, and to insert in lieu thereof a requirement that the agreement with the States permits signs to be erected and maintained pursuant to permission or authorization under State law, regardless of the size of the signs, when designed to give information in the specific interest of the traveling public.

The pending amendment would strike out the requirement that the signs not be inconsistent with the national policy. The amendment would remove that provision; and, by means of the amendment, if a State passed a law which provided for signs, regardless of size, the State could still qualify for the proposed additional payment.

Mr. President, I am not interested in the partisan aspects of this matter, and I am sorry such aspects were raised.

But I am interested in protecting the Treasury of the United States and the so-called trust fund for the construction of highways.

Are States to be entitled to receive an additional one-half of 1 percent as a result of the signing of an agreement which will leave to the States the definition of the policy and will permit them to authorize the erection of signs, regardless of their size? Why should the States be paid anything at all, in that event? Why should there be imposed on the Federal Treasury the burden of paying an additional one-half of 1 percent under such circumstances?

The cost of the program has been estimated variously at from \$100 million to \$200 million, or perhaps more. I do not know what the cost will be; in any event it could amount to millions of dollars.

However, if signs, regardless of their size, are to be permitted, why should the States be paid anything? Why should they be paid the one-half of 1 percent under those circumstances? Why should there be such a sharing of the cost of purchasing these rights, if the States are to be permitted to prescribe the standards and if there is not to be a requirement that they shall be consistent with the policy of regulating billboards?

Mr. President, if Senators do not want the billboard section included in the committee amendment, let Senators vote for the amendment which will be called up later on; I refer to the amendment to



strike out that entire section of the committee amendment.

But Senators who favor striking from the committee amendment the entire billboard section should not vote for an amendment which provides that the States shall be paid an additional one-half of 1 percent of \$37 million, or whatever the cost may be, but does not provide standards which the States must meet or comply with, and permits the States to pass laws permitting the erection of signs, regardless of their size.

Mr. President, why should Senators vote for an amendment which would require that the States be paid something for nothing?

The PRESIDING OFFICER. The time yielded to the Senator from South Dakota has expired.

Mr. HRUSKA. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 3 minutes.

Mr. HRUSKA. I should like to reiterate the reason for the amendment being proposed by the Senator from Nebraska is the construction placed on the bill by the authors thereof, as declared a little earlier today.

On page 21 of the bill, subsection (3) provides a limitation of 500 square inches on the size of signs.

It was said earlier today that the limitation of 500 square inches provided in subsection (3) does not apply to subsection (4), notwithstanding the use, in section (4), of the language, "Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section."

The effect of that interpretation of the language is that subsection (4) has no limitation as to the size of signs.

All I want to do is simply say that in so many words. I cannot understand all the agitation about the deep implications of the language I have proposed, when all I am trying to do is put in precise and clear language what the authors of the bill themselves say is provided by the bill now.

I yield back the remainder of my time. The PRESIDING OFFICER. Does the Senator from California yield back the time remaining to him?

Mr. KNOWLAND. I am prepared to yield back the time remaining to me, and I do so.

The PRESIDING OFFICER. All time on the amendment of the Senator from Nebraska has been yielded back. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. HRUSKA]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Bennett	Byrd
Allott	Bible	Carlson
Anderson	Bricker	Carroll
Barrett	Bush	Case, N. J.
Beall	Butler	Case, S. Dak.

Chavez	Jackson	Payne
Church	Javits	Potter
Clark	Johnson, Tex.	Proxmire
Cooper	Johnston, S. C.	Purtell
Cotton	Kefauver	Revercomb
Curtis	Kennedy	Robertson
Dirksen	Kerr	Russell
Douglas	Knowland	Saltonstall
Dworshak	Kuchel	Schoeppel
Eastland	Langer	Scott
Ervin	Lausche	Smathers
Flanders	Magnuson	Smith, Maine
Frear	Malone	Smith, N. J.
Fulbright	Mansfield	Sparkman
Goldwater	Martin, Iowa	Stennis
Gore	Martin, Pa.	Symington
Green	McClellan	Talmadge
Hayden	McNamara	Thurmond
Hennings	Morse	Thye
Hickenlooper	Morton	Watkins
Hill	Mundt	Wiley
Hoblitzell	Murray	Williams
Holland	Neuberger	Yarborough
Hruska	O'Mahoney	Young
Ives	Pastore	

Mr. MANSFIELD. I announce that the Senator from Minnesota [Mr. HUMPHREY] is absent on official business.

The Senator from Oklahoma [Mr. MONRONEY] is absent on official business attending the Interparliamentary Conference as a delegate to the conference from the Senate.

The Senators from Louisiana [Mr. ELLENDER and Mr. LONG] are officially absent attending the burial services of the late Congressman George P. Long.

Mr. DIRKSEN. I announce that the Senator from Indiana [Mr. CAPEHART] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from Indiana [Mr. JENNER] are necessarily absent.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. HRUSKA]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Minnesota [Mr. HUMPHREY] is absent on official business.

The Senator from Oklahoma [Mr. MONRONEY] is absent on official business attending the Interparliamentary Conference as a delegate to the conference from the Senate.

The Senators from Louisiana [Mr. ELLENDER and Mr. LONG] are officially absent attending the burial services of the late Congressman George P. Long.

On this vote, the Senator from Louisiana [Mr. ELLENDER] is paired with the Senator from Louisiana [Mr. LONG]. If present and voting, the Senator from Louisiana [Mr. ELLENDER] would vote "yea" and the Senator from Louisiana [Mr. LONG] would vote "nay."

The Senator from Minnesota [Mr. HUMPHREY] is paired with the Senator from Indiana [Mr. JENNER]. If present and voting, the Senator from Minnesota would vote "nay" and the Senator from Indiana would vote "yea."

The Senator from Oklahoma [Mr. MONRONEY] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Oklahoma would vote "nay" and the Senator from Indiana would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Indiana [Mr. CAPEHART] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from Indiana [Mr. JENNER] are necessarily absent.

The Senator from Indiana [Mr. CAPEHART] is paired with the Senator from Oklahoma [Mr. MONRONEY]. If present and voting the Senator from Indiana would vote "yea" and the Senator from Oklahoma would vote "nay."

The Senator from Indiana [Mr. JENNER] is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from Indiana would vote "yea" and the Senator from Minnesota would vote "nay."

The result was announced—yeas 31, nays 58, as follows:

## YEAS—31

Bennett	Holland	Russell
Butler	Hruska	Schoeppel
Chavez	Johnson, Tex.	Scott
Curtis	Johnston, S. C.	Sparkman
Dirksen	Kerr	Stennis
Eastland	Malone	Talmadge
Ervin	Martin, Iowa	Thurmond
Frear	Martin, Pa.	Yarborough
Goldwater	McClellan	Young
Hickenlooper	Mundt	
Hill	Potter	

## NAYS—58

Aiken	Fulbright	Murray
Allott	Gore	Neuberger
Anderson	Green	O'Mahoney
Barrett	Hayden	Pastore
Beall	Hennings	Payne
Bible	Hoblitzell	Proxmire
Bricker	Ives	Purtell
Bush	Jackson	Revercomb
Byrd	Javits	Robertson
Carlson	Kefauver	Saltonstall
Carroll	Kennedy	Smathers
Case, N. J.	Knowland	Smith, Maine
Case, S. Dak.	Kuchel	Smith, N. J.
Church	Langer	Symington
Clark	Lausche	Thye
Cooper	Magnuson	Watkins
Cotton	Mansfield	Wiley
Douglas	McNamara	Williams
Dworshak	Morse	
Flanders	Morton	

## NOT VOTING—7

Bridges	Humphrey	Monroney
Capehart	Jenner	
Ellender	Long	

So Mr. HRUSKA's amendment was rejected.

Mr. KUCHEL. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. KNOWLAND. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion of the senior Senator from California [Mr. KNOWLAND] to lay on the table the motion of the junior Senator from California [Mr. KUCHEL].

The motion to lay on the table was agreed to.

Mr. O'MAHONEY. Mr. President, I send forward an amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment for the information of the Senate.

The LEGISLATIVE CLERK. On page 21, line 13, it is proposed to strike out the words "provide for" and to insert the words "include only the following four types of signs and no signs advertising illegal activities."

Mr. O'MAHONEY. Mr. President—

The PRESIDING OFFICER. The Senator from Wyoming is recognized.



How much time does the Senator allot himself?

Mr. O'MAHONEY. I shall allot myself 10 minutes.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 10 minutes.

Mr. O'MAHONEY. The purpose of the amendment is to eliminate a clearly unconstitutional provision of the bill.

It is recognized that when Congress delegates away its power to regulate any activity within its jurisdiction, Congress must set forth the standards which are to guide the person writing the regulations.

The amendment proposed by the committee conveys to the Secretary of Commerce the power to make regulations—the power and the discretion to provide what the regulations shall be.

Mr. JOHNSON of Texas. May we have order, Mr. President?

The PRESIDING OFFICER. The Senate will be in order, so that the Senator from Wyoming can be heard.

Mr. O'MAHONEY. I thank the Senator.

The amendment as reported by the committee provides only four classes of standards which are mandatory upon the Secretary. Otherwise, there is no limitation upon what the Secretary may do. It is perfectly simple to realize this is true by reading the language.

Mr. President, it may not be important to Members of Congress whether we delegate our power, but I think it is important for Members of the Senate to give attention while a matter of such great importance is being presented. It is no wonder that Congress is losing its power, when Members do not take the time to pay attention to proposals which are being made.

This is a serious argument. Let me read to the Senate the language beginning in line 6 on page 21:

It is hereby declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within 660 feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System should be regulated—

And so forth. Regulated how?

Mr. STENNIS. Mr. President, may we have order? Will the Chair request those carrying on conversations and milling about please to retire?

The PRESIDING OFFICER. The Senate will be in order. Attachés who are at the rear and sides of the Chamber will please retire from the Chamber in order that Senators may hear the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, I ask that this time shall not be assessed against my 10 minutes.

The PRESIDING OFFICER. The time taken by the Chair will not be assessed against the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, here is language declaring that a national policy should be adopted for the regulation of billboard signs, but it does not say how that policy is to be formed, until we reach the next phrase, which reads as follows:

Consistent with national standards—

That sounds good, and it is fine; but who is to determine those standards?—to be prepared and promulgated by the Secretary—

Here is a plain, clear, lucid, delegation to the Secretary of Commerce of the congressional power to regulate signs.

The sentence continues—  
to be prepared and promulgated by the Secretary, which shall provide for—

Then follow four distinct categories. If this language had been prepared in such form as to say "which shall provide for only" the four categories, that would be a limitation upon the discretion of the Secretary. But the word "only" is not there. The Secretary may allow any other kind of category which he deems it proper to allow.

The amendment which I propose is simply an amendment which would strike out "provide for" and insert in lieu thereof "include only the following four types of signs, and no signs advertising illegal activities".

Under the language which the committee has reported, it would be perfectly possible for the Secretary to authorize the use of signs advertising illegal businesses. There is no question whatever about it.

What I ask the Senator in charge of the bill to do is to accept this amendment, which merely declares the policy of Congress to regulate for itself, and to establish the fixed standards which must guide the Secretary.

I say to the Senator from Tennessee, without the slightest reservation, that if the committee amendment goes into the bill without some such change as I am proposing, the billboard advertisers whom it is desired to control will break it down in the first test case in the Federal courts.

Mr. GORE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Tennessee.

Mr. GORE. The able Senator from Wyoming possesses far more knowledge of constitutional law than is in the possession of the junior Senator from Tennessee. Even so, I venture to suggest that the provision to which the Senator has addressed his remarks is on all fours with a provision of the Highway Act of 1956.

Mr. O'MAHONEY. The Senator is now saying to me what he said in our private discussion this afternoon. He is citing the engineering standards which have been established. I think there is no real relationship between the two, and I say to the Senator in all sincerity, in all candor, and in all earnestness, that the wise thing for him to do now is to accept this amendment and take it to conference. I have no doubt that there will be available in the conference constitutional advice far better than my own, which will prevail upon the Senator to accept the amendment and write it into the law.

Mr. GORE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Of course.

Mr. GORE. The Federal Aid Highway Act of 1956 provides, in subsection (i) of section 108:

The geometric and construction standards to be adopted for the Interstate System shall be those approved by the Secretary of Commerce, in cooperation with the State highway departments.

The pending provision would authorize the Secretary of Commerce not to regulate, but to enter into agreements with States, under which agreements the States themselves would undertake to regulate.

Mr. O'MAHONEY. Oh, the Senator does not mean that. The language in the bill makes it clear that the State laws must be in accordance with the policy and the standards of this section.

Mr. GORE. For what purpose?

Mr. O'MAHONEY. I say again to the Senator that this is a question much bigger than billboards. This is the question of the right of Congress to write the laws of the Nation.

We complain about judge-made laws. We complain about the delegation of power to the Executive. The bill would vest in the Secretary of Commerce and the underlings appointed, under civil service or otherwise, power to take over the entire administration of the law.

We should not surrender our own power. If we pretend to be the leaders of the free world, we should be striving to preserve government by the people; and when the people's representatives give up government by the people, when they undertake to delegate away their power without writing definite and complete standards which they themselves impose, there is no question as to what will happen.

Mr. GORE. Mr. President, will the Senator further yield?

Mr. O'MAHONEY. Certainly.

Mr. GORE. With great deference, and respect for the ability, knowledge, and erudition of the distinguished Senator from Wyoming, I submit that it is my opinion that the provision constitutes a reasonable delegation of power by congressional enactment, with specific directions that the standards to be promulgated shall provide for—

(1) Directional or other official signs or notices that are required or authorized by law.

(2) Signs advertising the sale or lease of the property upon which they are located.

And the types of signs described in subparagraphs (3) and (4).

Mr. O'MAHONEY. Mr. President, will the Senator permit me to interrupt him?

Mr. GORE. Certainly.

Mr. O'MAHONEY. It is idle for the Senator from Tennessee and for the Senator from Wyoming to argue this matter back and forth now. Senators are not listening or paying attention to the discussion. The Senator from Tennessee and I are talking for our own enjoyment.

Mr. GORE. Several Senators are listening.

Mr. O'MAHONEY. Several Senators may be listening, but I hear conversations going on all around us.

Mr. GORE. I believe some of the conversations may be the conversations of attachés of Senators, rather than of Senators.



Mr. O'MAHONEY. What I am asking the Senator to do—

The PRESIDING OFFICER. The time of the Senator from Wyoming has expired.

Mr. O'MAHONEY. I yield myself 2 more minutes. What I am in all sincerity asking the Senator to do is to take the amendment to conference and give it consideration there, where it can be considered with the aid of constitutional lawyers.

Mr. GORE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. GORE. I say in all candor that, so far as I am concerned, I would have no objection to the amendment. However, the subcommittee desired, as I understand the action of the subcommittee, to provide for standards to be promulgated by the Secretary of Commerce which would allow, under certain conditions consistent with the national policy herein outlined, certain outdoor advertising. The adoption of the Senator's amendment would make the bill somewhat more restrictive than it is at present. I am sure the Senator from Wyoming will agree that if his amendment is adopted, the standards—

Mr. O'MAHONEY. The Senator is proving my argument. All he is saying is that the discretion of the Secretary of Commerce under the committee amendment is so broad that it is broader than he knows.

Mr. GORE. That is not exactly what the junior Senator from Tennessee is saying. If the Senator will permit me to proceed for a moment.

Mr. O'MAHONEY. I am happy to do so.

Mr. GORE. I was undertaking to say that the Senator's amendment would restrict the standards so as to limit signs to the types described in subparagraphs (1), (2), (3), and (4) on page 21; is that correct?

Mr. O'MAHONEY. That is a confession by the Senator from Tennessee that the standards have not been set forth to guide the Secretary. That is precisely what I am saying.

Mr. GORE. Whether it is a confession or not, is that correct?

Mr. O'MAHONEY. Of course it is correct.

Mr. GORE. Then the adoption of the amendment would mean that the standards which are to be the subject of agreements could not provide for commercial advertisements other than of the types and under the conditions described in subparagraphs (1), (2), (3), and (4). If the Senate desires to take such action, I certainly shall not object, but I cannot, on behalf of the subcommittee, accept the amendment, because I believe it was the intent of the subcommittee that, wherever signs could be erected so as not to impair the safety of the traffic, or mar the beauty of the landscape, or obstruct the view of some historic point, and so as to be consistent with national policy, the standards should make provision for them, under appropriate regulations. Although I am not inclined sincerely and strenuously to resist the Senator's amendment from personal conviction, I

nevertheless am not in a position to accept it as chairman of the subcommittee.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Mr. President, how much do I have remaining?

The PRESIDING OFFICER. The time the Senator has allotted to himself has again expired.

Mr. O'MAHONEY. How much time is remaining?

The PRESIDING OFFICER. The Senator from Wyoming has 18 minutes remaining.

Mr. O'MAHONEY. I yield 5 minutes.

Mr. LAUSCHE. Mr. President, will the Senator allow me merely to ask a question?

Mr. O'MAHONEY. Certainly. I yield myself 5 minutes for that purpose.

Mr. LAUSCHE. It seems to me that the Senator from Wyoming wishes sincerely to have a bill which will withstand constitutional challenge. Is that correct?

Mr. O'MAHONEY. Which will stand up in court; yes.

Mr. LAUSCHE. I should like to ask the Senator from Tennessee where, in the section dealing with billboards, is there a limitation upon the extent to which the Secretary of Commerce may go in prescribing the standards?

Mr. GORE. The Senator will find them on page 20, in lines 23, 24, and 25, and on page 21, in the first line. The objective of the standards must be "to promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investment in the National System of Interstate and Defense Highways." That is the policy upon which the regulation of commercial advertising or outdoor advertising would be based.

The committee sought to make specific provision for directional signs, for official signs, for signs advertising the sale of property erected on the property for sale, and for the advertisement of business being conducted in the general area of the signs. I submit to the able Senator that in my opinion that is a reasonable delineation and description of the authority here sought to be delegated. The distinguished junior Senator from Wyoming disagrees with that point of view. He contends that it is not sufficiently delineated to meet the constitutional test of delegation of authority. It is my opinion that it does. However, I must say that it is with humility that I match my judgment against the wonderful ability, experience, and training of the distinguished junior Senator from Wyoming.

Mr. LAUSCHE. It is my understanding that the position of the Senator from Tennessee is that the provisions in subparagraphs 1, 2, 3, and 4 must be mandatorily included within the standards.

Mr. GORE. The standards must provide for subsections 1, 2, 3, and 4.

Mr. LAUSCHE. Beyond that there is a discretionary power vested in the Secretary of Commerce to adopt such stand-

ards as he may deem proper, provided he stays within the limitation set forth in lines 23, 24, and 25 on page 20, and in line 1 on page 21. That limitation is that no standards shall be adopted unless they "promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and protect the public investment in the National System of Interstate and Defense Highways."

Mr. GORE. I believe that is correct.

Mr. LAUSCHE. The Senator believes that that limitation is adequate to circumscribe the Secretary of Commerce and keep him within a ceiling and a floor, and thus comply with the constitutional inhibition against Congress delegating legislative power to the executive branch. Is that correct?

Mr. GORE. That is my opinion; and I have cited the precedent of the Highway Act of 1956, which likewise delegates authority for the promulgation of standards with which the States must comply in order to qualify for Federal aid in the construction of the Interstate System.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CLARK. The Senator knows how deeply interested I am in the success of his efforts to retain section (12) in the bill.

The PRESIDING OFFICER (Mr. PROXMIER in the chair). The time of the Senator from Wyoming has expired.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. GORE. The time is controlled by the Senator from Wyoming.

Mr. CLARK. The Senator from Tennessee has some time in opposition, I believe.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Tennessee.

Mr. GORE. I yield.

Mr. CLARK. I hope it will be possible, on the floor, to make an arrangement which will satisfy the Senator from Wyoming and the Senator from Tennessee, even though that is not always a very satisfactory way to operate. I am concerned about the point raised by the Senator from Wyoming. I call this to the attention of the Senator from Tennessee—by asking him to look at page 21, lines 11 and 12—"should be regulated, consistent with national standards to be prepared and promulgated by the Secretary."

I fear, as does the Senator from Wyoming, that when we tell the Secretary of Commerce to prepare national standards, we are delegating power which may be unconstitutional. That phrase limits the national standards and gives the Secretary the right to prepare and promulgate the national standards.

While I cannot say I am entirely in accord with the language proposed by the Senator from Wyoming, because I have not had an opportunity to study it carefully. I think it might be the part of wisdom to accept the amendment and take it to conference, where the whole matter can be worked out better.

The amendment, in my opinion, strengthens the bill. I know the Sena-



tor wants to see the bill strengthened. So do I. I suggest that the Senator from Tennessee accept the amendment of the Senator from Wyoming in the interest of getting a bill which will not be subject to any constitutional objection whatever.

Mr. GORE. I appreciate the suggestion of the Senator from Pennsylvania. I yield to the Senator from California.

Mr. KUCHEL. I have listened with great interest to the colloquy. I agree with the comments the Senator from Tennessee [Mr. GORE] has made. It seems to me that it would be in the interest of drafting a better bill to have the Senator from Tennessee and also the Senator from Oregon consider accepting the amendment, which, as I understand, restricts the promulgation of rules by the Secretary of Commerce to the four enumerated paragraphs which are set forth on page 21, plus a recognition of the proposal to eliminate signs which advertise illegal businesses. To that extent, I suggest that the Senator from Tennessee accept the amendment.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CLARK. I may say finally, and then I shall desist, that there should also be an escape clause which would protect those of us who want to give all possible flexibility to the States. Nothing the Secretary of Commerce would do pursuant to the amendment of the Senator from Wyoming could be effective unless the State agreed.

So we are not really providing a stiffer and more arbitrary power, but are prescribing the standards, because the States will have to agree to them; otherwise nothing will happen. That is a helpful escape clause, which may persuade the Senator from Tennessee of the desirability of accepting the amendment.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. NEUBERGER. I wish to ask the Senator from California, who is my cosponsor, and the chairman of the subcommittee a question about the amendment.

I know it is submitted in the best of faith by the able Senator from Wyoming, whom all of us recognize and respect as a great authority on the constitutional aspects of any legal question. I know that the Senator from Wyoming is most eager to assist in developing a bill which will stand any court test to which it might be subjected.

One question I wish to ask the Senator from California and the Senator from Tennessee is this—

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. KUCHEL. I yield 5 more minutes to the Senator from Tennessee, who I understand has yielded to the Senator from Oregon.

Mr. GORE. I yield to the Senator from Oregon.

Mr. NEUBERGER. I regard the opinions of my colleagues in this respect—indeed, in all respects—as being far more

authoritative than mine. Is it their opinion that the proposal might put the Secretary of Commerce in too much of a straitjacket regarding the rules which he promulgates, or do they think it still will leave sufficient latitude to him so that, within reasonable administrative limits he can set forth logical rules for the protection of the roadside? That is the main question in my mind. I want my cosponsor and the chairman of the subcommittee to answer the question, because I believe it is pertinent.

Mr. KUCHEL. If the Senator from Tennessee will permit me to answer, I think, based on my own limited experience as a lawyer, that implicit in the bill as the Senator from Oregon and I drafted it is the theory that the Secretary of Commerce in promulgating rules and regulations must be guided by the rule of reason. His discharge of his responsibilities under the national policy which is set forth would have to be in a reasonable fashion.

To the extent, however, that the Senator from Wyoming, in his proposal, recognizes the 4 specific fields in which regulation must be made, and recognizing them, ties the Secretary of Commerce down to regulation in those 4 fields exclusively, he has, if not fettered, at least restricted the Secretary's area for regulation.

But I must say that in enumerating the 4 sections, the Senator from Oregon and I endeavored, with the help of the Bureau of Public Roads, to indicate the 4 important fields in which regulation could be met.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. O'MAHONEY. If the conferees believe there should be more than 4 categories, I will have no objection. All I want is to have Congress, not the Secretary, declare what the categories are.

Mr. GORE. As chairman of the subcommittee, I find myself in a somewhat anomalous position. The subcommittee has taken a position. I have been told that all members of the subcommittee who are readily available, including the chairman of the full committee, the ranking Democrat on the committee, the ranking minority member of the committee, and all other members of the subcommittee available on the floor, save one, approve of accepting the amendment. The two coauthors of the provision suggest the acceptance of the amendment.

I suppose under those terms, because one member of the committee objects, I am hardly at liberty to accept it. I suggest that the Senate vote.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CARROLL. I invite the Senator's attention to the great service rendered by the Senator from Wyoming by offering his amendment. By the wording of the bill itself, by the standards set forth on page 21, subsection (a), the committee itself may have placed a limitation by referring to 4 categories of signs. It may be considered advisable to extend or broaden the categories. I think they

ought to be broadened. That is why I think a service has been rendered by the Senator from Wyoming.

If this bill goes to conference, I would not wish to be bound by it, because I think there is a more serious question involved than that sought to be covered by the amendment. I know the junior Senator from Oregon made a statement concerning it this morning concerning the broad purposes of this bill. The language on line 5, page 22, provides that any such agreement shall include provisions for the regulation and control of the four categories of signs. I think that provision should be broadened and not restricted but may be unintentionally restricted in the bill.

In line 9, the language reads, "may include, among other things, provisions for preservation of natural beauty, prevention of erosion, landscaping, reforestation," and so forth.

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. O'MAHONEY. I yield 3 minutes to the Senator from Colorado.

Mr. GORE. Does the Senator from Colorado recommend that the amendment be taken to conference?

Mr. CARROLL. I suggest that the Senator from Tennessee take the amendment to conference. The Senator from Wyoming, has rendered a splendid service, and we have the debate in the Record. I do not want to tie the hands of the committee. There may be difficulty in the conference with the House, but at least I think it is necessary to broaden the standards to protect what the Senator from Tennessee and the Senator from Oregon really want as standards in the bill. That is what I understand the Senator from Wyoming has been trying to do.

Mr. LAUSCHE. Mr. President, will the Senator from Tennessee yield, in order that I may ask a question of the Senator from Wyoming?

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Does the Senator from Tennessee yield to the Senator from Ohio?

Mr. GORE. I yield.

Mr. LAUSCHE. The Senator from Tennessee said that lines 23 to 25, on page 20, and line 1 on page 21 provide definite limitations on the discretionary power of the Secretary of Commerce to adopt and promulgate rules and regulations. Will the Senator from Wyoming state his opinion of that statement by the Senator from Tennessee?

Mr. O'MAHONEY. Mr. President, one can interpret language only after reading it.

Beginning in line 23, on page 20, the committee amendment now reads as follows:

(a) National policy: To promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investment in the National System of Interstate and Defense Highways, it is hereby declared to be in the public interest to encourage and assist the States to control the use of and to improve areas adjacent to the Interstate System by controlling the erection and maintenance of outdoor advertising signs,



displays, and devices adjacent to that system.

That is merely a declaration that it is in the public interest to control the erection and maintenance of signs. Of course it is a limitation, but it is merely a declaration that it is in the interest of the public to promote safety, and so forth, by controlling the erection and maintenance of outdoor advertising signs.

The PRESIDING OFFICER. The time the Senator from Wyoming has yielded to himself has expired.

Mr. O'MAHONEY. Mr. President, I yield myself 2 more minutes.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 2 additional minutes.

Mr. O'MAHONEY. Then we find the following:

It is hereby declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within 660 feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System should be regulated.

That is merely a restatement of the first sentence.

Then, following the word "regulated," there is a comma; and then, as the Senator from Pennsylvania has already pointed out, there appears the word "consistent." Consistent with what, Mr. President? "Consistent with"—and now I read further from page 21—"national standards to be prepared and promulgated by the Secretary."

I say that under the Constitution the Congress must provide the standards.

So I ask that the amendment be accepted. Then let the House pass on it as it may please; and thereafter let the conference committee handle it.

Mr. GORE. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. Yes; indeed.

Mr. GORE. Still another member of the committee has indicated his willingness to accept the amendment. Under the circumstances, I believe I would be reasonably entitled to exercise the discretion of accepting the amendment and subsequently taking it to conference; and I shall do so.

Mr. O'MAHONEY. I thank the Senator from Tennessee.

The PRESIDING OFFICER. The Chair is informed that the amendment must be voted on by the Senate.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that the Senator from Tennessee may be permitted to accept the amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. O'MAHONEY. Mr. President, I yield back the remainder of the time under my control.

Mr. WATKINS. Mr. President, I submit the following amendment:

On page 21, in line 13, strike out "500" and insert in lieu thereof "3,000."

As thus amended, paragraph (3), on page 21, would read as follows:

(3) Signs not larger than 3,000 square inches advertising activities being conducted at a location within twelve miles of the point at which such signs are located.

Mr. President, I submit that amendment for the very practical reason—

The PRESIDING OFFICER. How much time does the Senator from Utah yield to himself?

Mr. WATKINS. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Utah is recognized for 5 minutes.

Mr. WATKINS. Mr. President, there is displayed in the rear of the Chamber a sample of a sign 500 square inches in size. It is apparent that the distance of that sample from the desks of Senators is nowhere near the distance that signs along the right-of-way would be located from passing motorists. Under the circumstances, a sign so small would constitute a definite traffic hazard, if motorists driving their automobiles at 60 miles an hour were to attempt to read a sign of that size. In fact, even at a speed of 30 miles an hour, it would be hazardous for a motorist to attempt to read a sign of that size. In short, such a sign would be both dangerous and useless. Even though a sign of that size might carry an advertisement to the effect that a motel was located a certain number of miles away, the average motorist would either be unable to read the sign, or else he would have to slow down so much, in order to be able to read it, that a traffic hazard would be created.

Mr. President, we must keep in mind that the Interstate Highway System will in many cases traverse territory made up of many small communities. In my State, United States Route 91, an interstate highway, traverses the full length of the State of Utah, from north to south, a distance of nearly 400 miles. There are only 2 or 3 cities of any size along that highway. All the people living in those towns would be bypassed by the Interstate System. They would like to be able to erect signboards of sufficient size to advertise the facilities located within the 12-mile zone, in order that those who travel on the road would be able to read the signs.

I believe there should be regulation of billboards along the highways; I do not favor unrestricted placing of billboards, and I do not believe that a reasonable restriction would take away the rights of the property owners without due process of law.

But in providing or imposing these limitations with respect to billboards, we are much in the same position as the one the cities and towns and country districts were in when they imposed zoning ordinances. However, those ordinances have been upheld by the Supreme Court of the United States.

But if we are to be reasonable and practical, I believe this amendment should be adopted.

Those of us who have had experience in driving automobiles on such highways—and who has not had that experience?—know that we cannot rely, as has been stated, on having places for the erection of billboards provided at the interchanges. Even if such places were provided, parking spaces would be required in order that motorists might stop long enough to read the billboards. Thus, a great deal more land would be

required or else the traffic at those points would be greatly slowed down and jammed up. In other words, such an arrangement would not be practical or workable.

But, Mr. President, this amendment will be practical and workable, and it will make for far better feeling by the people of the small towns.

I have talked to the people of my State. I know that some of them want an unrestricted right to erect and maintain billboards of any kind along these highways. I am not in accord with those views. Instead, I believe there should be regulations; but I believe the regulations should be reasonable and sensible.

I believe that this amendment will remove much of the objection that has been raised to the proposal of the subcommittee—in other words, if the requirement is changed from 500 square inches to 3,000 square inches. Three thousand square inches would permit the erection of a sign approximately 30 inches high and 100 inches long. That would not be very much of a billboard, but it would be definitely better than the one now displayed in the rear of the Senate Chamber. This amendment would not permit the erection or maintenance of the very large billboards which have been objected to so strongly by the proponents of the billboard provisions.

Mr. President, I hope the subcommittee will accept this amendment.

I wish to say that I desire to support the bill; but I am in the same position that a large number of the other Members of the Senate are in, namely, we are faced with the objection of citizens who do not wish to have any billboards at all erected along the highways. Yet in our States there are many citizens who want no restrictions imposed in regard to the erection and maintenance of billboards.

The committee claims that the committee amendment constitutes a mild bill to regulate the erection and maintenance of billboards.

Mr. GORE. Mr. President, will the Senator from Utah yield to me?

Mr. WATKINS. I yield.

Mr. GORE. Mr. President, I am sure the Senator from Utah is aware that the chairman of a subcommittee—

The PRESIDING OFFICER. The time the Senator from Utah has yielded to himself has expired.

Mr. WATKINS. Mr. President, I yield myself an additional 5 minutes.

The PRESIDING OFFICER. The Senator from Utah is recognized for 5 additional minutes.

Mr. GORE. Mr. President, I am sure the Senator from Utah is aware that the chairman of a subcommittee is in a very real sense the servant of the subcommittee. Unless a poll were taken of the Members of the subcommittee, and unless the poll indicated their acceptance of the amendment, I would not be in a position to accept it.

Mr. WATKINS. Let me ask how the Senator from Tennessee personally feels about the amendment.

Mr. GORE. Frankly, I see no necessity either for the 500 figure, or for the 3,000 figure which the Senator from Utah now proposes.



It is my view that subparagraph (4) is sufficient to accomplish the purposes the able Senator from Utah has in mind.

I agree that the Senator from Oklahoma has demonstrated the futility and uselessness, at such distances, of signs of the size of the one now displayed in the rear of the Senate Chamber.

I am not sure a sign 4 feet by 6 feet would be very much better. It is my sincere belief that subparagraph (4) will permit local interests adequately to advertise their facilities, property, and wares, and that neither the 500-square-inch figure nor the 3,000-square-inch figure, which he suggests, is necessary.

Mr. WATKINS. Does the Senator feel we ought to strike out subsection (3)? What is its purpose?

Mr. GORE. I voted against including that subsection in the bill. I think the Senator from Oklahoma has demonstrated its lack of utility. It has no utility. It has no utility for traffic going 75 miles an hour. When a sign is only 500 inches square and is 200 feet away, it is utterly indiscernible.

Mr. WATKINS. I agree that it is utterly indiscernible, but if the sign were six times larger—and that is what my proposal would mean in effect—one might possibly read it and the sign might be of some service. The way the language is now, it is useless. If the Senator is not going to accept the amendment, he ought to strike out subsection (3).

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. WATKINS. Yes.

Mr. NEUBERGER. I want to remind the Senator, as I am sure he knows, the Senator from California and the Senator from Oregon opposed subsection (3). I know the Senator from Utah is one of the most conscientious Members of this body. I would like to make an alternative proposal, although I am not authorized to do so by any of my colleagues. What would he think of authorizing signs up to 3,000 square inches, but cutting the distance down to 6 miles, which would at least greatly diminish the number of signs along the right-of-way of the highways?

Mr. WATKINS. I have had some experience with traveling on limited access highways. When one travels with his family, and is trying to decide where he will stop, if he is going 60 miles an hour, he does not have much time to make a decision. If the distance were cut down to 6 miles, it would not give anyone time to decide whether to stop at a certain town or the next one. I think the small communities are entitled to some consideration. I feel very strongly about it.

I generally support the policies of the bill. I want to see an accelerated program. I supported the Highway Act of 1956. I think it was a good act. I think we have to use a little common sense in connection with the provisions. Personally, I would like to see in the bill an amendment which would fix the standards somewhat, but not to the point where the signs would be absolutely useless. I feel the provision now in the bill is a useless one. I refer to the particular subsection relating to the size of billboards along the roadway.

The PRESIDING OFFICER. The additional time of the Senator from Utah has expired.

Mr. WATKINS. I yield myself 5 additional minutes.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. KUCHEL. The able Senator from Utah has described his interest in sponsoring the amendment as one to help other reasonable and sensible regulatory legislation by the States.

Mr. WATKINS. We are prescribing standards. Language in the bill must mean something. There is a need for some limitation. At least it should be pointed out to the States what they have to do if they are to get the extra percentage of funds.

Mr. KUCHEL. The Senator opposed an amendment which was offered to subsection (4), which would have provided that States could have billboards erected along the roads regardless of size.

Mr. WATKINS. That amendment in effect would have left us without any regulation as to billboards.

Mr. KUCHEL. I agree with the Senator. The Senator from Utah having voted against that amendment, we still have subsection (4).

Mr. WATKINS. Which seems to be inconsistent with subsection (3).

Mr. KUCHEL. While I have told the Senator privately, and while I have said publicly, what the intention was on the part of the authors, I respect the Senator's apprehension. Is there anything the Senator can suggest as an amendment to subsection (4) which would, to his mind, unequivocally give to the States, on a reasonable basis, the right to authorize signs in the interest of the traveling public?

Mr. WATKINS. I do not see how that can be done without practically adopting the language proposed by the Senator from Nebraska [Mr. Hruska], and I voted against that amendment, because I want some regulation.

Mr. KUCHEL. Does the Senator believe that by specifically giving to the States the right to regulate, without regard to size, it is impossible for us to lay down a guideline which provides for smaller signs?

Mr. WATKINS. I remember the colloquy on the point very well. I think the point was well taken. The admission had been made earlier that subsection (4) was not limited in any way by subsection (3). Yet, when one reads the language, the colloquy that subsequently occurred demonstrated clearly to my mind that the provision was limited by subsection (3). If that is the fact, I think it is ridiculous.

Mr. KUCHEL. That is not the fact in my opinion, although it apparently is the fact in the opinion of the Senator from Utah.

Mr. WATKINS. I did not want to throw a monkey wrench into the machinery, but I am forced to come to that conclusion. My logic may not be very sound, but that is the way it occurs to me. I have had to use whatever thinking powers I have had to get along over the years. I think most persons would interpret that section as one that placed

a limitation on State legislatures. If it can be construed in that way, we ought to change it, because it is nonsensical as it appears in the bill.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. WATKINS. I yield to the Senator from Oregon.

Mr. NEUBERGER. I know the Senator from Utah is concerned about roadside businesses that cater to the traveling public.

Mr. WATKINS. There are interchanges on the limited-access highways. One cannot go into towns on the side of the highways without first coming to an interchange. The interchanges are very limited. Before a tourist reaches an interchange, he would like to know what the town he is coming to has to offer, and perhaps he would like to have a line on what kind of motel or restaurant or other services are there—not merely a service station, but perhaps a garage where his car can be repaired.

Mr. NEUBERGER. Mr. Bertram Tallamy apparently is a very able highway administrator. He was appointed by President Eisenhower. I should like to remind my good friend from Utah that during the testimony last year on this general policy—

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. NEUBERGER. May we have 1 more minute?

Mr. WATKINS. Can the Senator get some time from the other side? I should like to have a few minutes for rebuttal.

Mr. NEUBERGER. Will the Senator from California yield me 2 minutes?

Mr. KUCHEL. I yield 2 minutes to the Senator from Oregon.

Mr. KERR. Mr. President, I was about to propound a parliamentary inquiry as to who had control of the time.

Mr. KUCHEL. I shall oppose this amendment, too.

Mr. KERR. Then the Senator from California has control of the time in opposition.

Mr. KUCHEL. I yield 2 minutes to the Senator from Oregon.

Mr. WATKINS. I think as the amendment is now worded it is utter nonsense. It is completely ridiculous. We have two interpretations of what subsection (4) means. With that kind of record before any court, or an official who had to write regulations, I think we would have trouble.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. KUCHEL. Is it not true that those who disagree with the language used by the authors agree at least with the intention?

Mr. WATKINS. When the language is brought to the attention of Senators, it seems to me they would try to make the language conform with the intention.

Mr. KUCHEL. It does.

Mr. WATKINS. It seems to be contradictory.

Mr. KUCHEL. Is it not true that the Senator understands the intention of the



junior Senator from California in the words uttered to describe what the authors of the bill intended? The Senator from Utah agrees with the intention, does he not?

Mr. WATKINS. I am in support of the intention, and that is exactly what I am trying to have made clear.

Mr. KUCHEL. That is where the difference of opinion takes place, since the authors say the language does accomplish the intention. The intention of all is the same.

Mr. WATKINS. Let me ask the Senator: Does subsection (3) place any restriction whatever on subsection (4)?

Mr. KUCHEL. No, sir. In my opinion, in the opinion of the Senator from Oregon, who coauthored it, and in the opinion of the chairman of the Subcommittee on Public Roads, it does not.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. CASE of South Dakota. Simply to keep the record straight, I do not agree with that. I think subsection (4) is modified by subsection (3).

Mr. WATKINS. That is my judgment, after listening to the debate.

Mr. CASE of South Dakota. Mr. President, will the Senator yield further?

Mr. WATKINS. We are speaking on somebody else's time.

Mr. CASE of South Dakota. The language which appears between lines 6 and 13 sets forth the policy that advertising should be regulated.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KUCHEL. Mr. President, I yield two more minutes to the Senator from South Dakota.

Mr. CASE of South Dakota. I thank the Senator.

The language reads, "should be regulated consistent with national standards to be prepared and promulgated by the Secretary, which shall provide for."

Then there are listed four items. Instead of the words "provide for" we might as well use the word "include." Then the language would read, "consistent with national standards to be prepared and promulgated by the Secretary, which shall include."

And then list the subsections (1), (2), and (3).

Therefore, in subsection (4), when there is a reference to standards, it would be a reference to the things preceding, which must be included in the agreement.

Mr. WATKINS, Mr. KERR, and Mr. KUCHEL addressed the Chair.

Mr. CASE of South Dakota. I yield first to the Senator from Utah.

Mr. WATKINS. The rule I have always followed is to take into consideration all the matters which have gone before.

Mr. CASE of South Dakota. I think the national standards are enumerated.

Mr. KERR. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield to the Senator from Oklahoma.

Mr. KERR. The Senator was present in the Chamber a while ago—

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KUCHEL. Mr. President, I yield the Senator 2 more minutes.

Mr. KERR. The Senator from South Dakota was present when the Senator from Wyoming [Mr. O'MAHONEY] offered an amendment which further fortified the position the Senator from Utah takes and the Senator from South Dakota takes. The language has now been amended to include the amendment of the Senator from Wyoming.

Mr. CASE of South Dakota. Mr. President, I now yield to the Senator from California.

Mr. KUCHEL. I wish to ask the Senator from South Dakota if, when he offered in the committee the amendment to provide an area of 500 square inches, he intended that provision to be applied to subsection (4)?

Mr. CASE of South Dakota. I do not know that now I could go back and honestly say that I had subsection (4) in mind before offering the provision of subsection (3).

I believe, however, that a reasonable construction shows that subsection (3) is one of the standards which must be included.

Let me say further that personally I think 500 square inches is too small. I think there have been arguments presented to indicate that the selection of 500 inches was arbitrary. Somebody suggested 300 square inches, and I thought that was too small an area. Five hundred square inches may not be the proper size. I personally think that 3,000 square inches is too large.

If some reasonable figure could be devised, I think it would be desirable to take the question to conference.

After all, subsection (3) deals only with businesses and activities conducted at a location within 12 miles of the point where the sign is located. We were seeking to make it possible for a small town, which might otherwise be bypassed, a small town where there was a motel or something else on the route, perhaps 5 or 6 or even 12 miles away, to be able to say somewhere along the interstate highway, "Here we are over this way. Don't forget us." Or, when a tourist traveled by one town, to have a sign say, "Here we are down the road 12 miles." That is what we tried to do.

Mr. KUCHEL. On the point of intention, I think we can make a record which will demonstrate to everyone what was intended, so that everyone can recognize the intention.

Did the Senator from South Dakota intend, in offering the amendment providing 500 square inches, to make it apply to subsections (1) or (2)?

Mr. CASE of South Dakota. It was intended to apply in particular to the activities I have mentioned.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KUCHEL. Mr. President, I yield the Senator 2 more minutes.

Mr. CASE of South Dakota. To the advertising activities which are conducted within 12 miles of the point at which such signs are located. I was thinking primarily of those things, I believe.

Mr. KUCHEL. I am sure the Senator was, when he offered the amendment, and I am sure the committee adopted the amendment with no desire or intention to make the 500-square-inch restriction apply to subsections (1), (2), or (4).

Thus, regardless of what anyone might argue with respect to the verbiage, I think it can be contended pretty generally in any court in the land what the intention was when the Senate acted.

Mr. WATKINS. Why do we not make it so clear as to render it unnecessary to go to court for an interpretation?

Mr. CASE of South Dakota. The practical thing seems to be to agree upon what space would allow a reasonable identification of the activities by those driving on the highway.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. WATKINS. As I understand the situation, it seems to be clear that at least the proponents of the amended bill did not have any intention to hold the size down to 500 square inches.

Mr. KUCHEL. If I may interrupt, I would say that is true with respect to the one subsection. Does the Senator disagree with that?

Mr. WATKINS. If that stands alone, what does it mean?

Mr. KUCHEL. It means what it says.

Mr. WATKINS. It must be interpreted in the light of the whole section and in the light of the whole bill, as a matter of fact. If we have something so indefinite as that, which can cause so much argument now among those who should understand the law—at least, they have been admitted to the practice of law—what will happen when it gets into the hands of someone who is not a lawyer who is trying to write a regulation? We ought to clear it up now.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WATKINS. Mr. President, I was talking on somebody else's time. I yield myself two minutes more.

We ought to clear it up now, when we have the opportunity. Nobody has argued that the sign over at the side of the Chamber, of 500 square inches, is sufficient. One might as well have a sign the size of a postage stamp, as that.

Mr. NEUBERGER. May I make a suggestion to the distinguished Senator from Utah and the distinguished Senator from South Dakota? It seems to me there is something of a valid point in the fact that a sign of 500 square inches is extremely small for the purpose of being seen as one goes by in a modern automobile on a high-speed express highway. What I am afraid of, when we are considering the distance of 12 miles, is that in many States—particularly in the Eastern States, but even in some Western States such as California and Washington—we will have a constant picket fence of signs, because the 12 miles between towns will overlap and overlap.

Mr. WATKINS. We will have many little pickets which will not mean anything. We will see a continuous string of them. The question will be asked,



"Is that a picket fence or a bunch of billboards?"

Mr. NEUBERGER. I am not authorized to speak for anybody else, but what would my good friends think of a little larger sign with some limitation as to the number of signs?

Mr. CASE of South Dakota. For any single activity?

Mr. NEUBERGER. At least to a certain extent.

Mr. WATKINS. I would accept the amendment and take it to conference, and then let the conferees write a better provision.

Mr. NEUBERGER. Let me complete my thought. Somebody may have a motel or a restaurant or a wayside business. He may undertake to put up a whole "Burma Shave" row of signs to advertise his one place.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. NEUBERGER. Will the Senator yield me an additional minute or two?

Mr. KUCHEL. I yield 2 additional minutes to the Senator from Oregon.

Mr. NEUBERGER. I cannot speak for the able Senator from California or the able Senator from Tennessee. What would the Senator think of modifying the provision with respect to the size of the sign, but restricting the number of signs any one establishment could put up, so that some person would not undertake to have a "Burma Shave" row of pickets?

Mr. WATKINS. I would accept anything of that kind, but I think a sign should be large enough to convey some kind of a message, rather than to have a whole string of small signs for miles and miles in an effort to say something. Size will determine whether the advertiser is to have 1 sign to do the job, or a string of them—perhaps 50—to tell the story.

Mr. GORE. The sign would have an area of 3,000 square inches.

Mr. WATKINS. It would be less than 30 inches wide.

Mr. GORE. It could be a sign 2 feet wide and 10 feet long, advertising an activity being conducted within 12 miles of the sign. Would it not be possible, then, to have a sign 2 feet wide and 10 feet long, showing, in large letters, the name "Colgate," and, in smaller letters, "for sale 10 miles east"?

Mr. WATKINS. How about motels, restaurants, and garages, which would be of great interest to the traveler?

Mr. GORE. When the Senator talked with me I gave him my candid opinion that the entire subparagraph (3) ought to be out of the bill, because, in my opinion, subparagraph (4) would adequately take care of the privileges which the subcommittee wished to preserve for the local interest. I join the Senator thoroughly and wholeheartedly in wishing to preserve such privileges, but I doubt whether his amendment would do it, or whether subparagraph (3) would do it.

Mr. CASE of South Dakota. Mr. President, will the Senator from California yield me 2 minutes?

Mr. KUCHEL. I yield 2 minutes to the Senator from South Dakota.

Mr. CASE of South Dakota. Personally, I think "activities," properly inter-

preted, would mean something which is manufactured or produced, or an operation which is carried on within the prescribed distance. I do not think the "Colgate" illustration would be applicable, unless Colgate had a plant within the 12 miles, which would be an activity. I believe that a drugstore or a motel would be an activity, but I do not believe general advertising of a product would be an activity.

I was about to suggest that possibly we could start the subsection with "not to exceed four signs," whatever the size might be, "advertising an activity being conducted at a location within 12 miles of the point at which such signs are located."

That might be something to work on.

Mr. WATKINS. Would the Senator not allow an advertiser to place the four signs together, but require him to string them out?

Mr. CASE of South Dakota. He would not want to put them together. He would put 2 down the road east of him and 2 down the road west of him.

Mr. WATKINS. If the small sign does not tell the story, he would rather have it all in one sign which would tell something.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. WATKINS. Mr. President, I yield 5 minutes to the distinguished Senator from Florida.

Mr. HOLLAND. Mr. President, I am glad the distinguished Senator from Utah has offered his amendment, because it helps to point up the extremely fuzzy nature of this particular section of the bill.

I wish to speak very briefly as to what we are talking about. We are not talking about signs along the road itself, but signs off the right-of-way, and between the edge of the right-of-way and a point 660 feet farther back, away from the road. We are talking in all, about a strip of land a quarter of a mile wide, plus the width of the right-of-way.

It seems to me that, considering the 4 subsections to which reference has been made, only 1 of them is reasonably specific, and that is the second—

(2) Signs advertising the sale or lease of the property upon which they are located.

There is no effort to limit the size of such a sign. So far as this provision of the bill is concerned, the sign could be of any size whatever which the owner of the property wished to use. As to these signs we are talking about, signs on a strip of land one-eighth of a mile wide on each side of the highway.

Mr. CASE of South Dakota. The signs would not be together.

Mr. HOLLAND. We are talking, in all, about two strips of land which, together, comprise a width of 1,320 feet, or a quarter of a mile, plus the width of the right of way which lies between them.

The first subsection reads as follows:

1. Directional or other official signs or notices that are required or authorized by law.

I do not know what the law in other States is, but the law in my State with reference to directional signs has to do

with signs placed at the side of the road, on the right-of-way, not 100 or 125 feet or more from the place where a motorist is driving.

I have just talked with the head of the road department staff in my State, and he tells me that the minimum width of the right-of-way for Interstate System projects is 250 feet outside of cities. We are not talking in this section about directional or other official signs or notices required by law to be shown outside the right-of-way. I do not know anything about any such signs. Under the law in my State, subsection 1 would mean absolutely nothing; and I suspect it would mean absolutely nothing under the laws of any other State.

The third category is:

3. Signs not larger than 500 square inches advertising activities being conducted at a location within 12 miles of the point at which such signs are located.

Such a sign would be just about the size of the top of a Senator's desk. These desks are about 20 by 25 inches. The Senator from Utah is exactly correct in stating that a person driving at a customary speed on an interstate highway, with the signs required to be back of the edge of the right-of-way 100 feet or more away from him, could not any more distinguish any useful message on a sign of that size than he could count fence posts as he traveled along at that distance. This provision points up to me the complete absurdity of this whole section of the bill.

The fourth category is even worse:

4. Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

I make two references to that language. First, what is the size limit? The Senate has just turned down a helpful amendment which would have placed a size limitation by adopting the meaning of the State law as to size. So there is in this bill no size limitation whatsoever under subsection (4), which means that, after all, we are delegating to someone, not the writers of the bill, the duty of saying what is to be the size of the signs which shall be permitted, unless, indeed, there is to be no limitation of size whatever.

The legislative record will show that we have turned down, by a record vote of the Senate, a provision which sought to regulate the sizes in accordance with established State laws.

I believe that the last point which I have to make shows up the most absurd provision in the entire section. The closing words of category No. 4 are:

Signs \* \* \* designed to give information in the specific interest of the traveling public.

Who is to determine what signs are designed to give information in the specific interest of the traveling public? Who is to determine what the traveling public wishes to know? Who is to be the censor? Who is to determine what the traveling public shall be allowed to see?



It seems to me that all four of these subsections, except only No. 2, are just as fuzzy as it is possible to make legislative language.

And subsection (2), I believe, is completely unacceptable from the standpoint of the authors of the bill, if they have any desire to keep down the size of signs.

Subsection (2) provides that the owner of land, if he desires to sell or lease it, may erect a sign as large as he wishes on the land, indicating to the traveling public, in such a way that they cannot possibly miss it, that he wishes to sell or lease the land.

I think I know what my distinguished friends are trying to do by this bill. I participated in a successful effort to do the same thing on the State level under the laws of Florida in 1941, when I happened to be Governor of that State. A proposed law was carefully drafted in cooperation with the Garden Clubs of the State. It was passed by the legislature and approved by the Governor. That law is still operative. It has never been amended. It is a success. Unfortunately, its operation would be sadly impeded by the law proposed here.

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Mr. HOLLAND. Mr. President, will the Senator yield me 1 additional minute?

Mr. WATKINS. I yield 1 additional minute to the Senator from Florida.

Mr. HOLLAND. I find myself in exactly the same position as the distinguished Senator from Massachusetts, who finds that, if we should enact the proposed legislation, we would be passing a law which would interfere with the operation of a law of his State which has existed for 37 years—a time-tested and thoroughly acceptable law of his own State in this field.

So far as I am concerned, I would certainly be doing that same thing with reference to a Florida law passed in 1941, and not amended since that time, which was worked out around a table with three very distinguished ladies from the Garden Clubs of our State representing their membership throughout the State. I cannot and will not participate in disrupting the useful operations under that law.

Mr. KUCHEL. Mr. President, I yield myself 2 minutes. I wonder whether the Senator from Utah would consider this type of sentence as an amendment to subsection (3). I suggest for his consideration a new sentence at the end of subsection (3) as it is presently in the bill, the sentence to read like this:

The provision in this subsection respecting the size of signs shall not apply to the signs provided for in subsections (1), (2), or (4).

Mr. WATKINS. What is the purpose of having subsection (3) in the bill at all? The Senator's amendment would completely disregard the provisions of that subsection.

Mr. KUCHEL. The Senator from South Dakota [Mr. CASE] was the author of that amendment in committee. I opposed it. I was overridden. It is in

the bill now. I am trying to get a bill passed. At least if the Senator would consider a sentence which would make it crystal clear that the 500-inch provision would not control the right of a State to exercise any reasonable judgment under subsection (4), I believe it might satisfy some Senators.

Mr. WATKINS. It would allow any size sign. The limitation of the 500 square inches would not mean anything. I do not follow the logic of insisting in one breath that the subsection stay in the bill and then in the next breath say that the subsection be eliminated.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KUCHEL. I yield 2 minutes to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, actually, the Senator from South Dakota was not promoting subsection 3. I believe that language was proposed in lieu of the description contained in the original billboard proposal. The proposal in the draft of the bill suggested by the Senator from California and the Senator from Oregon originally read as follows:

3. Signs advertising activities being conducted upon the property upon which such signs are located.

The junior Senator from South Dakota thought it was too limited and that it would do no good to the town or the motel which was being bypassed. I thought the sign would have to be immediately adjacent to the right-of-way to be of any benefit. The Senator from South Dakota was seeking to make it applicable to activities which were within 12 miles of where the sign was located, to take care of bypassed communities or motels.

Mr. WATKINS. I believe the Senator's objective was a worthy one. I disagree with the number of square inches allowed. I think it was wise to place some kind of limitation on the size of the signs which would bind State legislatures which wanted to take the extra money from the United States in the building of the highways. I think it is wise to prescribe some kind of limitation.

Mr. CASE of South Dakota. The reason for entirely eliminating subsection 3 and leaving only subsection 4, I assume, would be to permit signs within a reasonable distance of the highway, only in the interest of the traveling public, and not necessarily in the interest of activities which had been by-passed.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KERR. Does the Senator from Utah have additional time remaining?

The PRESIDING OFFICER. The Senator from Utah has 5 minutes and the Senator from California has 15 minutes.

Mr. KERR. Will the Senator yield to me?

Mr. WATKINS. I should like to reserve my time in order to answer some further questions later.

Mr. KERR. I should like to ask the Senator a question. Will the Senator from California yield me 3 minutes?

Mr. KUCHEL. I yield 3 minutes to the Senator from Oklahoma.

Mr. KERR. The Senator from Utah is offering an amendment limiting the size to 3,000 square inches. That would be a sign of about 3 by 7 feet.

Mr. CASE of South Dakota. It would be larger than that.

Mr. WATKINS. It would be 30 by 100 inches.

Mr. KERR. Thirty inches is less than 3 feet. I said about 3 by 7 feet.

Mr. WATKINS. We will not argue the arithmetic of it.

Mr. KERR. I wanted the Senator to realize how small 3,000 square inches would be.

Mr. WATKINS. I wanted to make it 5,000 square inches.

Mr. KERR. Three thousand square inches would allow for 14 letters, each one 12 inches high, and that is all.

Mr. WATKINS. I am not prepared to analyze the Senator's figures. I know that it is at least 6 times as large as the sign the Senator has displayed in the Chamber.

Mr. KERR. I believe the Senator is going in the right direction. I heard him speak about reducing it below 3,000 inches.

Mr. WATKINS. I am not in favor of that.

Mr. KERR. I merely wanted him to know that if it is 3,000 square inches in size, the sign would permit only 14 letters, each 1 of which would be 12 inches high.

Mr. WATKINS. A sign 30 inches wide and 100 inches high, or vice versa, would be of some use. I would not put up a sign like the one the Senator from Oklahoma has displayed in the Chamber.

Mr. KERR. I would not put one up like that either. I brought it to the Senate floor only to show the ridiculousness of the provision in subsection 3.

Mr. WATKINS. The Senator has rendered a service, because no one had objected to subsection 3. I believe there should be some limitation placed on the size of the signs. Let us make it a reasonable one. If 3,000 square inches is not a reasonable one, the conferees can work out a reasonable one.

I should like to see some limitation written into the bill.

Mr. ALLOTT. Mr. President, will the Senator yield me 1 minute?

Mr. WATKINS. I have only a few minutes remaining. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Utah has 5 minutes remaining.

Mr. KUCHEL. Mr. President, I yield 1 minute to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I feel I must express myself on this subject. I favor some limitation on the size of the signs. I speak from practical experience. I have driven an average of between 30,000 and 35,000 miles a year for the past 15 years. As I look at the sign displayed in the Chamber, which is supposed to be a sign 500 square inches, I must say that to try to read such a sign while traveling at 60 miles an hour will create a very great traffic hazard. I support the proposal of the Senator from Utah, which I believe is wholly reasonable. I believe a sign of



the size proposed by the Senator from Utah will cause far fewer traffic fatalities among people who try to read signs while driving along a highway. The sign displayed by the Senator from Oklahoma is too small to do any good.

Mr. WATKINS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Utah has 5 minutes remaining. The Senator from California has 11 minutes remaining.

Mr. WATKINS. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time may not be charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none and it is so ordered.

Mr. KUCHEL. Mr. President—

The PRESIDING OFFICER. Does the Senator from California object?

Mr. KUCHEL. No; I have no objection.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WATKINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WATKINS. Mr. President, I yield myself 2 minutes. I have had some discussion with the committee members who are supporting the bill. I am willing to amend my amendment so as to make it read "signs not larger than 24 square feet," instead of "3,000 square inches."

The PRESIDING OFFICER. The Senator has a right to modify his amendment.

Mr. WATKINS. I am ready to vote.

The PRESIDING OFFICER. Does the Senator yield back the remainder of his time?

Mr. WATKINS. I ask for the yeas and nays on the amendment, unless it will be accepted. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. WATKINS].

Mr. KUCHEL. Mr. President, I ask for a division.

Mr. WATKINS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah. A division has been requested.

On a division, the amendment of Mr. WATKINS was rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma.

Mr. CASE of South Dakota. Mr. President, I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 21, line 18, it is proposed to strike out "not larger than 500 square inches."

Mr. CASE of South Dakota. I trust the amendment will be agreed to. It re-

stores the language to the form in which it was offered in the committee by the Senator from California and the Senator from Oregon. I have in my hand a mimeographed copy of the amendment.

The PRESIDING OFFICER. The Senator from South Dakota has 30 minutes.

Mr. CASE of South Dakota. I yield myself 5 minutes. I had hoped that the Senators who were sponsoring the bill would have recognized the situation and would have accepted the amendment offered by the Senator from Utah. Now I ask them to accept the language which they offered in committee.

I propose to strike out of the language the size limitation, which was placed in the bill in committee, and I am reverting to the original language which the Senators offered in the committee. I hope they will accept it.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. KUCHEL. I suggest that the chairman of the subcommittee, the distinguished Senator from Tennessee, consider what the Senator from South Dakota has just suggested. It seems to me to be an excellent amendment. I urge him to accept it.

Mr. CASE of South Dakota. The amendment will limit the signs to advertising activities being conducted within a distance of 12 miles, which is the language that was offered in committee by the sponsors of the original bill.

I am certain that it is not desired to discriminate against motels or communities which are a few miles away from a highway, and to limit the advertising only to those who are immediately on the new highway.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. WATKINS. Will the Senator read the language that will then appear in this bill, if it is so amended?

Mr. CASE of South Dakota. Subsection (3), page 21, line 18, would then read:

Signs advertising activities being conducted at a location within 12 miles of the point at which such signs are located.

We did have a limitation on the size of the signs. But if the sponsors of the general section do not want a limitation on the size of the signs, let us return to the open-end matter as to size, which they proposed in the original language.

Mr. President, I reserve the remainder of the time available to me.

Mr. KUCHEL. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from California is recognized for 2 minutes.

Mr. KUCHEL. I should like to ask the able Senator from South Dakota whether he interprets his amendment to mean that under the regulations which the Secretary of Commerce would adopt and in the agreement between the State and the Federal Government, the actual size of such signs under paragraph (3) would be pursuant to State law and in accordance with the agreement.

Mr. CASE of South Dakota. I would think so—and consistent with the policy and the standards declared.

Mr. KUCHEL. I thank the Senator from South Dakota.

Mr. NEUBERGER. Mr. President, I should like to ask a question.

Mr. KUCHEL. I yield 2 minutes to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 minutes.

Mr. NEUBERGER. Mr. President, when the Senator from South Dakota presented his amendment—perhaps I did not correctly understand what he said, because of the confusion which then existed on the floor—I understood him to say it was in the form in which the Senator from California and the Senator from Oregon originally presented it.

Mr. CASE of South Dakota. Mr. President, I modified that by a subsequent statement. I pointed out that it was in the form in which those Senators presented it, insofar as the limitation on size was concerned, but that I would preserve the right of businesses which were bypassed and were off the right-of-way to have the same right as those which happened to be immediately on the right-of-way.

Mr. NEUBERGER. In other words, the Senator from South Dakota would add a provision that businesses within a distance of 12 miles would have the privilege of having signs erected along the Interstate Highway System; is that correct?

Mr. CASE of South Dakota. Yes, because I believe that when a motorist who travels on the Interstate System reaches one town, he should be able to determine what facilities are available in the next town, about 12 miles, or 10 minutes, away.

Mr. NEUBERGER. I am not as familiar with road construction as is the Senator from South Dakota; I often marvel at his vast knowledge of the subject. But is it not true that on the Interstate System there are very few stretches where interchanges or cloverleaves or turnoffs are more than, let us say, 24 miles apart? I am thinking of the Interstate System which already has been constructed and the standards which have been established by the Bureau of Public Roads and by my own State. If my memory of the conditions in my own State is accurate, I know of very few stretches, if any, in Oregon—which is a State of vast distances—where the cloverleaves or interchanges are more than 24 miles apart, if they are actually that far apart.

Mr. CASE of South Dakota. I think most of them are closer together than that.

Mr. NEUBERGER. Then this amendment would mean that any establishment located within 12 miles of the Interstate System would have that right; is that correct?

Mr. CASE of South Dakota. I think that if a motel or a community is bypassed, it should have the right to advertise, by means of a sign, that its location is "just over the hill" or "down



the road" just a few miles, or something of that sort. That is what we are endeavoring to provide for.

I thought the Senator from Utah offered a reasonable amendment. But apparently those who are interested in having the bill enacted into law wanted to deprive the communities which are off the highways of an opportunity equal to that of those that happen to be located directly on the highways. The injustice occurs particularly when the route is changed, and when some are bypassed as a result of the selection of the new route.

Mr. NEUBERGER. Again, I certainly cannot speak for my cosponsor or for the Senator from Tennessee. But I believe this amendment opens a very large loophole for the construction of signs.

Mr. President, the Senator from Vermont [Mr. AIKEN] has just called my attention to something which the Senator from South Dakota and I have discussed earlier.

The PRESIDING OFFICER. The time yielded to the Senator from Oregon has expired.

Mr. KUCHEL. Mr. President, I yield 2 additional minutes to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 additional minutes.

Mr. NEUBERGER. I thank the Senator from California.

Mr. President, I should like to call to the attention of the Senator from South Dakota something I was discussing a moment ago in private with the distinguished Senator from Vermont [Mr. AIKEN], namely, the possibility that this entire situation would open the way to very extensive brand advertising, although I recognize that the amendment reads, in part, "activities being conducted at a location within 12 miles of the point at which such signs are located."

Yet I also realize that an "activity" could be the sale of a certain kind or brand of beer, gasoline, toothpaste, or liquor at such a point; and I realize that, under those circumstances, the name of the brand might be advertised on the signs in letters very much larger—in fact, virtually unlimited in size—than the letters used to advertise or describe the location of the particular establishment.

Mr. CASE of South Dakota. Mr. President, first, let me say that the word "activities" did not originate with me; it was in the original language.

The PRESIDING OFFICER. The additional time yielded to the Senator from Oregon has expired.

Mr. CASE of South Dakota. Mr. President, I yield myself 5 minutes; and I intend to modify my amendment.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 5 minutes.

Mr. CASE of South Dakota. Mr. President, I modify my amendment, as follows:

On page 21, strike out lines 18, 19, and 20, as they appear in the committee amendment, and insert in lieu thereof:

3. Signs erected or maintained pursuant to authorization in State laws and not inconsistent with the national policy and standards of this section, advertising activities being conducted at a location within 12 miles of the point at which such signs are located.

Mr. GORE. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE of South Dakota. I yield.

Mr. GORE. Then this amendment would preserve, for persons who engage in activities in the vicinity of the location of such signs the right to erect signs "not inconsistent with national policy and standards of this section," and "maintained pursuant to authorization in State law", would it?

Mr. CASE of South Dakota. That is correct.

Mr. GORE. I accept the amendment. The PRESIDING OFFICER. Will the Senator from South Dakota send the modified amendment to the desk?

Mr. CASE of South Dakota. Yes.

Mr. President, I ask for a vote on the amendment; and I yield back the remainder of the time at my disposal.

Mr. KERR. Let me ask whether the junior Senator from California [Mr. KUCHEL] is in favor of the amendment.

Mr. KNOWLAND. I so understand.

Mr. KERR. Then I do not think the junior Senator from California can yield back the remainder of the time available to the opposition to the amendment.

The PRESIDING OFFICER. The Chair is informed that the junior Senator from California [Mr. KUCHEL] was controlling the time.

Mr. KERR. The Senator from Oklahoma wishes to have an opportunity to see the amendment before the vote is taken.

The PRESIDING OFFICER. Such a request by the Senator from Oklahoma is in order.

Mr. CASE of South Dakota. Mr. President, I hand to the clerk the amendment, in the following language:

Signs erected or maintained pursuant to authorization or permitted under State law and not inconsistent with the national policy and standards of this section, advertising activities being conducted at a location within 12 miles of the point at which such signs are located.

Mr. KERR. I yield back all time remaining to me.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from South Dakota [Mr. CASE].

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma to strike out section 12, beginning on line 19, page 20.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. Has all time on the amendment of the Senator from Oklahoma expired?

The PRESIDING OFFICER. All time on the amendment of the Senator from Oklahoma has expired.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I yield five minutes to the Senator from Iowa [Mr. HICKENLOOPER].

The PRESIDING OFFICER. All time on the amendment has been yielded back.

Mr. KNOWLAND. On the bill itself.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I yield 5 minutes on the bill to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 5 minutes.

Mr. HICKENLOOPER. Mr. President, I do not believe I shall take the entire 5 minutes which have been yielded to me, but I merely wish to state my position on the general motion of the Senator from Oklahoma to strike the section referring to billboards. I have no brief for or against billboards, but I have a brief for what I believe to be the responsibilities of the States in connection with these matters.

I have an objection to the Federal Government attempting to coerce the States into doing certain things on which they otherwise might exercise their own individual judgment.

With special reference to billboards, I advert to a statement which I think is contained in the printed hearings, a very distinguished professor at Iowa State College, a professor of psychology and director of the driving laboratory of the Industrial Science Research Institute of Iowa University, made an intensive study for the State of Iowa, some 2 or 3 years ago, of the psychological impact of billboards, and other things of that kind, along the highways of our State, and other places.

As a result of the study, which was impartial, the conclusion was reached that abstractions of one kind or another along the highway contributed to safety rather than to accidents.

I have a letter from Mr. Lauer under date of March 17, 1958, addressed to me, which I shall read for the information of Senators. He states:

DEAR SENATOR HICKENLOOPER: We are enclosing a short article on a subject in which many of your constituents have an interest.

The clearing of roadsides back 660 feet on each side would have a deleterious effect upon safe travel, besides being discriminatory.



We hope you will vote against section 122 of the control amendment. We do not feel this amendment is germane to the purpose of S. 3414.

Very sincerely yours,

A. R. LAUER,  
Professor of Psychology,  
Director, Driving Laboratory,  
Industrial Science Research Institute.

In order to have the record complete, Mr. President, I ask unanimous consent to have an article written by Dr. Lauer, entitled "A Favorable Case for Highway Advertising Signs" or "Helping Them To See Better," printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### HELPING THEM TO SEE BETTER

(By A. R. Lauer, Ph. D., Iowa State College)

During the past year there has been an upswing in accidents which apparently are due to persons overdriving their manipulative and seeing ability. Every optometrist should try to warn patients that speeds are dangerous and we hope this short description may call attention to some things which they have probably overlooked.

#### SOME FALLACIOUS REASONING

Several years ago it was generally believed that the driver must fixate his eyes in the middle of the highway in order to drive safely. As more is known about seeing and driving behavior, it becomes obvious that the driver must scan the surroundings in order to pick up the danger spots around him. There is a decided difference between efficient use of the eyes and ordinary "rubber necking" as one moves along the highway.

Any student of reading realizes that the eyes must scan the page and pick out the phrases, with as few fixations as possible, as he goes along the page. No student of reading has ever proposed that the learner fixate his eyes in the middle of the page and attempt to read. Eye movements are necessary to normal alertness and a reasonable level of attention.

Every practitioner should call his patients' attention to the fact that it is not only necessary to have good vision but to use his eyes efficiently. It is possible that some good vision training might aid materially in helping motorists to scan the countryside, and to pick out the danger points as they come along. Some aspects of highway construction and side features are considered here which aid the motorist in seeing more efficiently and in staying out of accidents.

The myth that advertising signs cause accidents has been fairly well exploded. Several studies have been carried out, and none of them have shown any valid evidence against highway signs (see attached references). In fact, one study in Michigan, which was an outdoor study along route U. S. 24 and M. 58, showed that a slightly beneficial relationship existed between safe driving and the presence of highway signs. A laboratory study at Iowa State College has confirmed this. The two studies, of different nature, originated by different people and carried out under different auspices, were so remarkably coincident with respect to results that it is safe to say there is a slightly beneficial effect of signs along the highway, although the relationship was low. By proper choice of locations and placing of signs, they could be made a major safety factor in safe driving.

This beneficial effect could be greatly improved if certain practices were followed by cooperative arrangements between highway departments, turnpike commissions, and outdoor advertising agencies. Here are a few of the reasons why advertising signs along the highway are an advantage to drivers and are an aid to safe motoring.

#### THEY KEEP THE DRIVER AWAKE

It has been shown in a number of ways that an alert driver is more likely to stay out of trouble than the driver who is drowsy and bored by a simple performance, such as manipulating a motor vehicle under normal conditions. The ease of driving a modern automobile does not help the situation. When an emergency arises, there is such a radical change from the very simple type of operation to a very complex one, unless the driver is quite alert. Unless the driver is mentally active he may suffer from what some have designated as highway hypnosis. It is really a state of semilethargy from which the operator is unable to rouse himself quickly enough. This must be considered in terms of split seconds at times in response to new situations which arise. If the level of alertness is kept high, the operator will be in much better shape to respond correctly and avoid an accident.

In some studies of night driving, it was shown by Roper and others, that one can respond to a dummy thrown on the highway twice as quickly if he has had some forewarning that the object would be presented during the trip. Anyone who has had charge of a musical group, such as a symphony orchestra, a band or a choir, knows there must be a warning signal, such as tapping on the music stand, to alert the group for the attack. Otherwise the entrances are slow and uncertain. A conductor uses his baton to indicate cues to the less alert performers in his organization during a performance. In a similar way, safe driving in traffic implies a high degree of alertness at all times. The use of the word attention by the military, in starting any formation activity, is traditional.

There is ample experimental evidence, on basic theoretical grounds, for the conclusion that the alert driver is more likely to do a better job and have fewer accidents than the driver who is less alert. Drunkenness, sleepiness, excessive fatigue, disturbances within the automobile, preoccupation, sudden diversion of the attention by moving objects, such as a deer jumping into the path of the car, are potentially dangerous.

#### WHAT DOES THE DRIVER SEE?

There is very little evidence that diversions caused by stationary objects, outside the automobile, increase hazards. In fact, there is evidence to the contrary.

It has been pointed out that there are more accidents in the Western States, where there are fewer things to see outside the car, than in the Eastern States, where there are numerous stimuli. Even scenic grandeur becomes monotonous after a time.

Accidents in the rural areas are increasing; whereas the accidents in the urban areas are being controlled to some extent. Accidents at night are much more frequent per mile of driving than accidents in daylight. It would be supposed that in daylight, when one could see more things, that the dangers would be greater if nonmoving visible objects outside the car are sources of hazard. The reverse is true.

#### CUES FOR MOTORISTS

Everyone remembers when it was customary, in certain parts of the United States, for certain advertisements to be placed on large signboards at the end of long stretches of road ending in a curve. This type of installation was good, and no one has ever registered a complaint, to the knowledge of the writer, on this practice. At least no one seems to have ever run into such a sign.

On the other hand, there are many places in the country today where curves are guarded at the end by a large sign. No hazards are introduced. Conversely, in one location to the writer's knowledge, there have been 22 persons killed in several different crashes at the end of a long curve where there was a tree poorly marked by a small

arrow 1 foot long. No one has presented any evidence of a driver running directly into a large sign placed across the roadway so as to be seen at sufficient distance to warn of an approaching curve.

If reflectorized signs were used at the end of such curves, it would be much better than even the painted or poster sign at night. Reflectorization stands out brilliantly in the headlight beam, and it will warn a driver several thousand feet in advance of the curve coming up. Most accidents on curves occur because of insufficient warning. Thus speed is highly associated with accidents on curves. Studies have shown that curves at the end of long tangent sections are more dangerous.

#### WHERE SHOULD THE EYES BE DIRECTED?

It must be remembered that the motorist is bound to look around and scan the landscape adjacent to the highway. If he sees trees, wild animals, domestic animals, farmhouses, etc., those will occupy a certain proportion of his attention. If he keeps his eyes fixed in the middle of the road all the time, he will become drowsy, cannot stay awake, and will be less alert. He must scan the area ahead, as a radar beam scans the sky, for every plane or object that may require his further attention. Good vision aids in this respect.

These fundamental principles in the use of the eyes are so elementary that any parent or grandparent need only observe the small infants in his family to realize that it is not human nature to fixate the eyes for a long time on 1 object or in 1 direction.

This is one of the basic reasons why motion pictures and television have held such a long reign and have worked themselves into the very core of our entertainment world. One looks at the film but the scene is constantly changing. A wide screen is better because the eyes have more latitude of movement. If the scene remains relatively inactive over 15 seconds the story will become boring, and the telecast, motion picture, play, or whatever the nature of entertainment, will be characterized as dull by the audience. Gone are the days of the magic lantern. Our eyes demand movement in keeping with the 20th century developments and activity.

#### SUMMARY

We must conclude, therefore, that the case for advertising signs along the highway is strongly favorable, and it could be made much more so by beautifying the designs and surroundings of the locations where such signs are placed. It is likely that some very novel and attractive modernistic creations will appear along our superhighways during the next decade. Close cooperation with highway departments is needed.

Signs well placed along the highway make driving on highways safer since they serve as objects of stimulation and cues to road characteristics. Reflectorized signs are particularly effective at night for guarding curves.

Mr. HICKENLOOPER. Mr. President, I ask unanimous consent that an excerpt from page 2 of the Driving Laboratory News of Iowa State College, Ames, Iowa, March 6, 1957, be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

(c) An interesting set of installations close (within 15 degrees to the side) to the roadside to avoid remote landscape rubbernecking by motorists. This should include the expected manmade installations of business, residences, display and advertising signs, route markers, landscaping and planting along with the natural scenery indigenous to the locale. Novelty and change should be the keynote from the standpoint of driving



safety. The passing motorist must have proper stimulation to keep him on the alert all the time.

(d) Proper design for sight distance and scientific banking to make curves safe.

(e) Large-lettered signs and advance warning signals.

Mr. HICKENLOOPER. Mr. President, I ask that immediately following there be printed in the RECORD an article written by William Bancroft Mellor, reprinted from the November 1954 issue of Pageant magazine, entitled "Posters May Be Lifesavers."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Pageant magazine of November 1954]

**STOP, LOOK, AND LISTEN BEFORE YOU DAMN THOSE HIGHWAY BILLBOARDS**

(By William Bancroft Mellor)

A midwestern psychology professor has just come up with some scientific findings about safe driving that are pretty sure to annoy just about everybody—with the possible exception of the people who make roadside billboards and those who use them for advertising.

For the results of his long and carefully controlled tests fly right in the face of the widely held popular belief that billboard signs lining our highways not only are unsightly blots on our natural scenic beauties but also are safety hazards.

The study, made at Iowa State College, shows that highway advertising signs actually result in more efficient and safer operation of automobiles. The test was conducted by Dr. A. R. Lauer, psychology professor and director of the driving laboratory in the Industrial Science Research Institute.

Using scientific testing devices, he and his associates sent 480 motorists over a stiff driving course during a period of 10 months. Here are their findings:

By keeping motorists' eyes constantly on the move, roadside stimuli help to prevent the highway hypnosis which is becoming an increasingly important factor in motor vehicle accidents.

The test drivers, most of whom were male students of Iowa State, were more alert, got into fewer accident situations, and made faster time on highways lined with billboards than on unadorned ones.

The drivers on the highways with billboards saw just about as much of the landscape as those on roads with no distractions.

"Every motorist who has used one of our new high speed turnpikes," Dr. Lauer claims, "has at one time or another found himself becoming drowsy—lulled to sleep by the very features which were intended to promote safety; the long, straight stretches of road, the lack of opposing streams of traffic, and the vast reaches of monotonous landscape, unbroken by any familiar, manmade stimuli.

"With nothing to draw his gaze from the highway, he concentrates on that long ribbon of concrete or macadam until he has literally hypnotized himself. There you have an accident in the making. Give him something to draw his attention away from the road from time to time, however, and he remains alert. He is a better driver."

Dr. Lauer conducted his billboard tests with a gadget called a "drivometer," a device similar to those used by state highway departments and automobile clubs for determining drivers' reactions under simulated driving conditions.

"It wouldn't have been practical," he said, "to send our 'guinea pigs' out on actual highways, for in real life an accident situation presents itself only about once in each

3,000 hours of driving, on the average. By using the drivometer, with its simulated highways, we were able to compress into months driving experience which would have taken years of actual travel."

The drivometer consisted of an automobile driver's seat equipped with full-sized operating controls. In front of it was a box containing an endless belt—the simulated highway—flanked by scale models of houses, churches, schools, animals, shrubs, trees, and other objects normally seen along a country road. A miniature automobile, running along this "highway," was controlled by the steering wheel.

The test drivers were required to keep the miniature car on the right side of the road, comply with all traffic signals as in ordinary driving, and complete the trip in the shortest possible time. Their efficiency was recorded by an electric counter.

Thirty of the drivers were used as a control group, and drove only over a highway plastered with billboards. Other drivers were rotated over three different types of highways: one with no billboards, one with advertising signs placed on both sides of the road at angles varying from 0° to 30° from the line of vision straight ahead, and a third with signs placed at angles of 15° to 45°.

Their composite mean scores for the three types of highway were: 71.98 on roads with no billboards; 78.70 on those with signs at angles from 15° to 45°, and 80.00 on highways with signs varying in angle from 0° to 30°.

The Lauer study inevitably will have two results: it will draw fire from the groups of nature lovers who have been arguing for years that billboards are safety menaces, and it will be carefully scrutinized, in the light of our annual toll of 38,000 motor vehicle fatalities, by highway officials and safety experts. You may hate billboards from an esthetic viewpoint, but you may owe your life to one.

Mr. HICKENLOOPER. Mr. President, as I say, I hold no special brief for any particular medium of advertising, but I do have objection to what I believe to be congressional coercion in connection with inducements to States to do certain things they otherwise might or might not do.

Therefore, I support the proposition that the bill is for the purpose of building highways, not for controlling the esthetics of the situation which should be left to the States.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HICKENLOOPER. With the inclusion of these articles I have mentioned in the RECORD, and the expression of my reasons for voting as I do, I yield the floor.

SEVERAL SENATORS. Vote! Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma [Mr. KERR].

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll, and Mr. AIKEN voted in the negative when his name was called.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. Is the vote on the amendment offered by the Senator from Oklahoma and other Senators to elimi-

nate and strike out the so-called billboard incentive amendment?

The PRESIDING OFFICER. The Senator from California is correct.

The yea and nay vote will proceed.

The legislative clerk resumed and concluded the call of the bill.

Mr. MANSFIELD. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Louisiana [Mr. LONG], and the Senator from Oklahoma [Mr. MONRONEY] are absent on official business.

I further announce that if present and voting, the Senator from Oklahoma [Mr. MONRONEY] would vote "nay."

On this vote the Senator from Louisiana [Mr. ELLENDER] is paired with the Senator from Louisiana [Mr. LONG]. If present and voting, the Senator from Louisiana [Mr. ELLENDER] would vote "yea" and the Senator from Louisiana [Mr. LONG] would vote "nay."

On this vote the Senator from Minnesota [Mr. HUMPHREY] has a pair with the Senator from Indiana [Mr. JENNER]. If present and voting, the Senator from Minnesota [Mr. HUMPHREY] would vote "nay" and the Senator from Indiana [Mr. JENNER] would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Indiana [Mr. CAPEHART] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from Indiana [Mr. JENNER] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is detained on official business.

The Senator from Indiana [Mr. CAPEHART] is paired with the Senator from New Hampshire [Mr. BRIDGES]. If present and voting, the Senator from Indiana [Mr. CAPEHART] would vote "yea" and the Senator from New Hampshire [Mr. BRIDGES] would vote "nay."

The Senator from Indiana [Mr. JENNER] is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from Indiana would vote "yea" and the Senator from Minnesota would vote "nay."

The result was announced—yeas 41, nays 47, as follows:

**YEAS—41**

Barrett	Hill	Murray
Bennett	Holland	Potter
Bible	Hruska	Russell
Butler	Johnson, Tex.	Saltonstall
Carlson	Johnston, S. C.	Schoepfel
Chavez	Kerr	Scott
Curtis	Langer	Sparkman
Dirksen	Malone	Stennis
Dworshak	Mansfield	Talmadge
Eastland	Martin, Iowa	Thurmond
Ervin	Martin, Pa.	Williams
Frear	McClellan	Yarborough
Goldwater	McNamara	Young
Hickenlooper	Mundt	

**NAYS—47**

Alken	Gore	Neuberger
Allott	Green	O'Mahoney
Anderson	Hayden	Pastore
Beall	Hennings	Payne
Bricker	Hoblitzell	Proxmire
Bush	Ives	Purtell
Byrd	Jackson	Revercomb
Carroll	Javits	Robertson
Case, N. J.	Kefauver	Smathers
Case, S. Dak.	Kennedy	Smith, Maine
Church	Knowland	Smith, N. J.
Clark	Kuchel	Symington
Cooper	Lausche	Thye
Cotton	Magnuson	Watkins
Douglas	Morse	Wiley
Fulbright	Morton	



## NOT VOTING—8

Bridges	Flanders	Long
Capehart	Humphrey	Monroney
Ellender	Jenner	

So Mr. KERR's amendment was rejected.

Mr. KUCHEL. Mr. President, I move that the vote by which the Kerr amendment was rejected be reconsidered.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute, as amended. The bill is open to further amendment.

Mr. CASE of South Dakota. Mr. President, I desire to offer an amendment to the so-called utility section. The amendment is technical.

It is amendment No. 3 on the mimeographed sheet of amendments which I have distributed to all Senators. So far as I know, there is no objection to it.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 20, at the end of line 14, it is proposed to strike out the period, insert a semicolon, and the following: "Provided further, That Federal funds shall not be reimbursed to any State under this section when the payment to the utility violates the law of the State or violates a legal contract between the utility and the State";

On page 20, lines 16 and 17, strike out the words: "covered by formal project agreements executed by the Secretary" and insert in lieu thereof: "for which Federal funds are obligated"; and on line 18, after the word Act and before the period, insert: "for work including relocation of utility facilities."

The PRESIDING OFFICER. Does the Senator wish to have his amendments considered en bloc?

Mr. CASE of South Dakota. I do.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASE of South Dakota. I yield myself 5 minutes. I hope I may have the attention of the chairman of the subcommittee. The amendments are really technical amendments, and were suggested by the counsel for the Bureau of Public Roads. The purpose is to make the language in the bill conform to existing law with respect to payments where State laws or State contracts might be violated. The main provision is in the present law.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield to the Senator from Tennessee.

Mr. GORE. I asked my staff to get in touch with the Bureau of Roads for their legal and technical advice with respect to the amendment. It is as the able Senator from South Dakota has stated; the amendments are technical, but make the provision administratively more feasible. I accept the amendments.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. WATKINS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. WATKINS. I notice that the bill provides:

Whenever a State under State law is required to pay for all or any part of the cost of relocation of utility facilities necessitated by the construction of a project on any of the Federal-aid highway systems, Federal funds may be used to reimburse the State for such cost in the same proportion as Federal funds are expended on the projects, not to exceed 70 percent of such cost which the State is obligated to pay.

Does the amendment change the 70 percent provision?

Mr. CASE of South Dakota. It does not. The amendment does not go to the 70 percent. It does not go to the merits of the utility section at all. At the end of the paragraph the amendment would provide that Federal funds shall not be reimbursed to any State when the payment to the utility violates the law of the State or violates a legal contract between the utility and the State.

That provision is contained in the present law. It should have been included in the language of the bill when it was written. I do not know why it was not included. Counsel for the Bureau of Roads believes it ought to be included. I cannot see how anyone would wish a payment to be made to a State if it violated a law of the State or if it violated a contract between a utility and the State.

Mr. WATKINS. The principal objection in my State to the 70 percent provision is that our State law requires it to pay it all. If the State pays for it all, it can be reimbursed for only 70 percent of the Federal contribution the State might receive under the law as it now is.

Mr. CASE of South Dakota. The Senator's objection would go to the paragraph in the bill as a whole, not to the amendment. The Senator may be opposed to the provision in the bill, but so far as my perfecting amendment is concerned, I cannot see that he would have any objection to it.

Mr. WATKINS. Does the Senator know whether another amendment will take care of this matter?

Mr. CASE of South Dakota. Yes, there will be an amendment offered, I believe, to strike out the entire section, and that is when the Senator would wish to speak, I believe, and probably support the amendment to strike that section of the bill. The Senator from Nebraska [Mr. HRUSKA], I believe, is prepared to offer such an amendment, which would strike the entire section from the bill.

Mr. WATKINS. I would not object to the section in the bill, provided it would make the payment on the same basis that the Federal Government now contributes to the States under the regular highway provision.

Mr. CASE of South Dakota. The Senator is talking against the entire paragraph, not against the perfecting amendment.

The PRESIDING OFFICER. The question is on agreeing, en bloc, to the amendments offered by the Senator from South Dakota [Mr. CASE].

The amendments were agreed to en bloc.

Mr. MANSFIELD. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 12, in lines 11 through 13, it is proposed to strike out "the sum of \$36,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961," and insert in lieu thereof "the additional sum of \$10,000,000 for the fiscal year ending June 30, 1959, and the sum of \$36,000,000 for each of the fiscal years ending June 30, 1960 and June 30, 1961."

On page 12, lines 14 through 16, it is proposed to strike out "the sum of \$34,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961," and insert in lieu thereof "the additional sum of \$13,000,000 for the fiscal year ending June 30, 1959, and the sum of \$34,000,000 for each of the fiscal years ending June 30, 1960 and June 30, 1961."

On page 13, line 4, after "years ending" it is proposed to insert "June 30, 1959."

On page 13, lines 9 through 11, it is proposed to strike out "Provided further, That the apportionment heretofore made by the Secretary of Commerce for the fiscal year ending June 30, 1959, is hereby approved."

On page 16, lines 7 through 9, it is proposed to strike out "the sum of \$4,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961," and insert in lieu thereof "the additional sum of \$2,000,000 for the fiscal year ending June 30, 1959, and the sum of \$4,000,000 for each of the fiscal years ending June 30, 1960 and June 30, 1961."

The PRESIDING OFFICER. The Senator from Montana is recognized for 30 minutes. Does he desire that his amendments be considered en bloc?

Mr. MANSFIELD. I do.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. MANSFIELD. I yield myself as much time, within the limitation, as I may need.

Mr. President, I have offered the amendments to S. 3414 on behalf of myself and Senators ALLOTT, ANDERSON, BARRETT, BENNETT, DWORSHAK, GOLDWATER, MORSE, MURRAY, JACKSON, NEUBERGER, MAGNUSON, CHURCH, O'MAHONEY, WATKINS, LANGER, THYE, CARROLL. The amendments would authorize additional funds for forest highways, forest development roads and trails, and public land highways for fiscal year 1959.

One of the prime objectives of S. 3414 is to make available additional funds in 1959. We are completely in accord with this purpose, and the bill as reported by the Senate Public Works Committee provides for the authorization of additional appropriations for these 3 types of roads



for fiscal years 1960 and 1961, but not for 1959. Our amendment corrects this oversight.

We have purposefully omitted from our amendment park roads and Indian roads because we were advised that there are substantial funds—\$20 million for park roads and \$10 million for Indian roads—which are available and unobligated. This is not the case for forest highways, forest development roads, and public land roads. There is a small balance in the forest development road fund, but it could readily be obligated in the next few months.

The amendment will make available sufficient funds in the next year to get started many road projects which many States would not be able to start under normal circumstances. These road programs will provide employment where it is so badly needed.

#### FOREST HIGHWAY FUNDS

The Bureau of Public Roads has a \$1.3 billion backlog of work on forest highways. It is apparent that the additional \$10 million proposed in this amendment can be readily spent.

About 80 percent of the forest highways are a part of the Federal-aid primary and secondary system. The proposed legislation now being considered by the Senate proposes a 31-percent speedup for the ABC roads for 1959 by adding \$400 million. The amendment proposes a 30-percent increase for forest highways in order that they can keep pace with the accelerated ABC program.

About 85 percent of the national forest system is in the 20 Western States and Alaska. About 85 percent of the funds are allocated to these States. Unless we add the forest highway money, the Western States will lag behind in the forest highway program.

#### FOREST HIGHWAY FORMULA

We also propose in our amendment to revert to the language adopted by the Subcommittee on Roads. This language assumes that pending the completion of a detailed study called for in section 3 (b) of S. 3414, the same percentage of the total authorization will be distributed to the several States as has been distributed for the last 30 years. As the bill was reported from the committee, it applies the 30-year formula to 1960 and 1961 but excepts 1959. We respectfully point out that 20 of the 42 States that receive forest highway funds will face a cutback in 1959.

Of the 12 Western States, 8 will suffer substantial reductions, while 4 will gain. However, the gains of the 4 States largely offset the losses of the 8. The States which are the most vitally affected all face critical problems of unemployment. In my own State, officials have advised me that Montana will be hard pressed to match funds under the ABC and interstate programs. We believe that equity requires the consistent application of the time-honored percentage for the distribution of funds pending the receipt of the further recommendations of the Secretary of Commerce as called for in S. 3414.

#### FOREST DEVELOPMENT ROADS AND TRAILS

The Forest Service needs about 400,000 miles of forest roads ultimately to de-

velop the 180 million acres in the national forests for full public use and enjoyment. Most of these roads are unsurfaced or gravel, with heavy-duty bridges and culverts to accommodate heavy log trucks and recreational use. The Forest Service has a tremendous amount of roadwork surveyed and planned. There is no doubt in my mind that the additional funds proposed in the amendment can be put to immediate and effective use.

I am sure that I need point out the great value of this program to the economic welfare of the lumber industry in the Northwest, which at present is suffering from a severe recession.

We must have adequate and sufficient forest roads and trails to meet heavy demands for timber and to allow the orderly marketing of it.

Among all the various types of road projects, the forest roads assure the highest ratio of employment to money expended. In addition, they constitute about the only road program which is really geared to get into the timber areas to relieve the critical unemployment that exists. The \$13 million increase will enable progress in this direction.

#### PUBLIC LAND HIGHWAYS

This amendment also proposes an increase of \$2 million in the funds for public land highways. As the distinguished senior Senator from Idaho [Mr. DWORSHAK] pointed out to the Senate Committee on Public Works during his testimony, there are 180 million acres of public domain lands in the Western States. In certain instances roads are needed which cannot, for one reason or another, be provided under any of the other regular programs. The proposed \$2 million increase will provide that the level of funds authorized for 1959 will be the same as those authorized for fiscal years 1960 and 1961.

Mr. President, some States will have difficulty in taking immediate advantage of an accelerated interstate and ABC programs, but all of them can take better and more immediate advantage of the forest highway and public land highway programs. I urge that the amendment be adopted as submitted.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CARROLL. Both the junior Senator from Montana and the senior Senator from Colorado are to be commended for offering the amendment. The amendment affects a number of States: Arizona, California, Colorado, Idaho, Illinois, Indiana, Iowa, Maine, Minnesota, Montana, Nebraska, New Hampshire, New Mexico, North Dakota, Pennsylvania, South Dakota, Vermont, and Wyoming, and the Commonwealth of Puerto Rico.

Is it not true that the new formula, established without consultation with State authorities or with Congress, caused a serious setback in the fiscal 1959 appropriations of a great many States?

Mr. MANSFIELD. The Senator is correct.

Mr. CARROLL. I think it is important to state some of the figures.

For example, California lost \$194,000; Arizona, \$148,000; Colorado, \$313,000; Idaho, \$172,000; Montana, \$143,000; Wyoming, \$158,000. I have rounded the figures.

I ask the Senator from Montana if the purpose of the amendment is not only to reestablish for 1960 and 1961 the formula previously used, but also to enable those States which suffered from the new formula to continue to build highways.

Mr. MANSFIELD. The Senator is absolutely correct.

I now yield the remainder of my time to the senior Senator from Colorado, who is a cosponsor of the bill.

Mr. ALLOTT. I thank the Senator from Montana.

Mr. President, I am pleased to be a cosponsor of this amendment to provide additional funds for forest highways, forest development roads and trails, and public land highways for fiscal year 1959. The adoption of this amendment will provide substantial additional amounts for these roads during the summer of 1958 when construction can be undertaken.

For some time I have been giving thought to some of the tangible ways we might dedicate legislative efforts to commemorate appropriately the 100th anniversary of the birth of Teddy Roosevelt. This, I believe, is one way we can fulfill that obligation. Teddy Roosevelt was a man of action. Any honors we propose for him should be in the spirit of his great role in American history. If I could name this amendment to the Highway Act—supposing it could be given a popular title—I would suggest calling it the Teddy Roosevelt amendment.

As those of us from the West know so well, it was President Theodore Roosevelt, aided by Gifford Pinchot, who transformed the forest reserves into national forests. Wise use based upon the principle of the greatest good to the greatest number was the cornerstone of Teddy Roosevelt's conservation philosophy. The foresight and wisdom of Roosevelt insured that this great 180-million-acre Federal domain would serve all of our people for generations to come. The soil, water, timber, grass, and scenery would assure Americans a full measure of the economic and spiritual benefits needed to promote a healthy Nation. Certainly roads are a basic and integral part of our forest development, essential to the people's use and enjoyment. What better way can we honor this great man than to continue the work he began in our national forests.

The forest highway system, which extends through the 40 States with national forests, has needs which total more than \$1 billion. Road development is required equally for timber access and recreational use. The Forest Service needs 400,000 miles of road to develop ultimately the resources of our national forests.

I may say that in some places these roads actually are identical with the Interstate Highway System.

We are suggesting a very modest amendment in relation to these staggering needs. We would make \$10 million



more available for forest highways and \$13 million available for forest development roads and trails for 1959, so that each program would stand at \$40 million for this year. We would also add \$2 million for public land highways, raising this program to \$4 million.

There is no denying that our economy nationally is sagging at the present time. This increase is one positive and meaningful action to counteract that tendency. These three programs are unique in that practically no funds are held in budget reserves, as is the case with park and Indian roads. Under the provisions of the Federal Highway Act, the money can be carried forward if the sum of the efforts being undertaken government-wide is sufficient to change the economic outlook. Therefore, I view this proposal as providing the President with another antirecession device; and I believe that we in the Congress should do no less than this.

Mr. President, I close my remarks with this observation: The Public Works Committee has moved rapidly to bring before us a bill which has strong bipartisan support. It has worked hard to achieve two goals. The bill will insure that the long-range program will go forward while we deal with the immediate questions before us. When we reflect on the complexities of the highway problems confronting the Nation, the general excellence of the bill warrants our warmest congratulations to this committee.

We who have advanced this amendment have done so in order to assist in providing a well-rounded bill.

Senate bill 3414 will provide \$400 million additional for the ABC roads. The increases we suggest are in keeping with the objective, and will insure that our forest roads will go forward at the same rate as our primary road systems.

We can achieve these great immediate purposes, and at the same time can continue to build a practical monument to the wisdom and foresight of Teddy Roosevelt, who was such a paramount figure in the development of our mighty national forest system.

Mr. WATKINS. Mr. President, will the Senator from Colorado yield to me?

Mr. ALLOTT. I am glad to yield to the distinguished Senator from Utah.

Mr. WATKINS. Mr. President, in my State a number of roads in the national forests were built by the CCC camps, during the depression. Of course, they were only dirt roads; none of them was hard surfaced. Furthermore, they were rather narrow roads, and in some cases were rather dangerous for use by automobiles.

Since that time, people still have tried to use those roads; but for quite a number of miles the roads should be made wider, in order to be safer for use by the people who travel in the forests.

Does the Senator from Colorado have such roads in his own State?

Mr. ALLOTT. Yes; there are many in Colorado; and I think the condition the Senator from Utah has described is common to many of the areas of the West, where the great bulk of the public are kept from large areas of the national forests because of the state of disrepair

of the roads the Senator from Utah has described.

Mr. WATKINS. I assume that in all the Rocky Mountain States—certainly it is true of Utah, and I assume it is also true of Colorado, and to some extent of Idaho—there are many areas where timber which in the past was not considered marketable, now is in demand, and it is necessary to build roads in order to permit the timber to be reached. Is that true generally in the Western States?

Mr. ALLOTT. It is true in Colorado, at least. I cannot speak for the other Western States. However, to judge from the statements which were made by other Senators in the committee, I believe that condition is general throughout the Western States.

Mr. WATKINS. Furthermore, in northeastern Utah, in the area of the Flaming Gorge reclamation dam, there is a vast forest through which the people of Utah have to travel in order to reach the Flaming Gorge area. Of course it is necessary to have additional forest roads built there, in order to permit that timber to be reached, and to permit the area of the dam to be reached, and in the future to permit the people to pass through that forest into Colorado and Wyoming.

Mr. ALLOTT. Mr. President, I thank the Senator from Utah for his statement, and I am very happy that he has seen fit to join in sponsoring the amendment.

Mr. DWORSHAK. Mr. President, will the Senator from Colorado yield to me?

The PRESIDING OFFICER (Mr. MORRISON in the chair). Does the Senator from Colorado yield to the Senator from Idaho?

Mr. ALLOTT. I am happy to yield to the Senator from Idaho.

Mr. DWORSHAK. Mr. President, I am a cosponsor of the amendment, which I believe is important to the public-lands States.

I also believe we should recognize the sympathetic understanding which has been displayed by the distinguished chairman of the Roads Subcommittee of the Committee on Public Roads, the Senator from Tennessee [Mr. GORE]. He has indicated that he understands the problems of the public-lands States, where there are approximately 180 million acres of public domain and another 180 million acres of forest lands that are owned by the Federal Government.

With the greatly accelerated program of highway construction provided by this bill, it would be a discrimination against the public-land States if additional funds were not made available to enable those States to maintain the same relative increased construction of highways which will be initiated throughout the entire country.

I think the additional funds made available for the forest highways and for the forest development roads and trails will return a great profit to the Federal Government, by virtue of making accessible those overripe stands of timber, which can be salvaged and utilized and marketed by the Government.

I feel confident that under the circumstances which we face in connection with this accelerated program, the

chairman of the Subcommittee on Roads will accept this amendment, because it will overcome the lag of 1 year—the fiscal year 1959. Although I think the Roads Subcommittee gave very liberal and generous consideration to the authorization of additional funds for the forest highways and the highways on the public lands in fiscal years 1960 and 1961, at the same time, through an oversight, the fiscal year 1959 was not included as one for which additional funds would be authorized.

The pending amendment corrects that discrimination, and makes some additional funds available now, instead of in the fiscal years 1960 and 1961.

Mr. BARRETT. Mr. President, will the Senator from Colorado yield 5 minutes to me?

Mr. ALLOTT. I am happy to yield 5 minutes to the Senator from Wyoming.

Mr. BARRETT. Mr. President, as a cosponsor of this amendment I desire to join my colleagues in commending the committee, and particularly the chairman of the subcommittee, the distinguished Senator from Tennessee [Mr. GORE], for bringing in this splendid provision for forest highways. To my way of thinking the construction of forest highways will help materially in relieving unemployment and at the same time will provide a much needed public improvement.

I wish to associate myself with the remarks which have been made by my distinguished colleague, the senior Senator from Idaho [Mr. DWORSHAK].

Our forest highways are an integral part of our complex highways system and in nearly all cases the forest highways are connecting links in our Federal-aid system. The forest highways are the forgotten roads of our entire system and in fact are bottlenecks in the western road system. Throughout the West we find that the primary system has been improved and is in first-class condition. But when we come to the forest reserves of the West, we find that the forest highways are antiquated and outmoded and generally speaking in a dangerous condition.

I appreciate the fact that the committee acceded to our request to increase funds for forest highways for the years 1960 and 1961 and I hope that the chairman of the committee will accept the amendment which has been proposed by the distinguished junior Senator from Montana [Mr. MANSFIELD], to increase by \$10 million the funds authorized for this fiscal year. I am glad to be a cosponsor of such amendment.

Mr. CHURCH. Mr. President—

Mr. ALLOTT. Mr. President, I am happy to yield 3 minutes to the junior Senator from Idaho [Mr. CHURCH].

Mr. CHURCH. I thank the Senator from Colorado.

Mr. President, I have only a very brief statement to make in support of the pending amendment.

No one need emphasize the importance of forest-highway roads or public-lands roads to the States of the West in which so large a percentage of the land is owned and controlled by the Government.



I desire to state here, tonight, that I am pleased to be a cosponsor of this amendment, because it provides for the same kind of proportionate treatment for the fiscal year 1959 that the pending bill now provides for the Interstate Highway System and for the ABC roads. In the interest of that fair treatment, we ought not to overlook accelerating the program for construction of forest access roads and public lands roads. We ask for no special treatment in this amendment. We ask only that these roads, which are so important to the economy of the West, be given the same treatment for accelerated construction work as the bill gives to the ABC roads and the interstate roads. This, therefore, seems to be a good amendment. I am happy to join as a cosponsor of it with my distinguished colleague from Idaho and other Senators from Western States, whose States are so directly affected.

Mr. WATKINS. Mr. President, will the Senator yield 1 minute to me?

Mr. ALLOTT. I yield 1 minute to the Senator from Utah.

Mr. WATKINS. I have already mentioned forest roads in the Intermountain States which need additional money spent on them. I desire to address my attention to roads on public lands which are for the most part controlled by the Interior Department. In my State more than 70 percent of the land is owned by or is under the control of the United States Government. It places a heavy burden on us if we also have to construct highways for State use across lands entirely owned by the Government, unless we get a large contribution in addition to what we ordinarily would get.

A number of years ago a law was enacted providing for Government participation of 100 percent for the construction of interstate highways which cross Government lands.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WATKINS. May I have an additional minute?

Mr. ALLOTT. I yield 1 additional minute to the Senator from Utah.

Mr. WATKINS. I am particularly calling attention to that situation because the building of the Glen Canyon dam has required a very costly highway to be built over public land. We have had some help, for which we are grateful, but we would like to have additional help in order to complete the construction of the road.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield the remainder of my time to the Senator from Montana.

The PRESIDING OFFICER. The Senator has 7 minutes remaining.

Mr. MANSFIELD. I yield to the Senator from Oregon [Mr. NEUBERGER].

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement which I prepared explaining the forest-road aspects of the bill as it came from the committee.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### STATEMENT BY SENATOR NEUBERGER

The committee has given full and fair consideration to a relatively small but important section of the road program—the part affecting public lands. Two classes of roads are of particular significance in my State and I want to discuss them for just a moment. The 1950 act provided \$17,500,000 for forest-development roads and trails. In the 1952 act, the Senate proposed to raise the authorization to \$22,500,000 and the House agreed. In 1954 the Senate proposed to increase the authorization to \$25 million and it was compromised at \$24 million. In 1956 the House raised the authorization to \$27 million and bipartisan floor action in the Senate provided a like amount, so no conference was necessary. This year the House has raised the authorization to \$28,500,000 while the Senate has provided \$34 million a year for 1960 and 1961.

The forest-highway program has proceeded in much the same way. In the 1952 act the House would have set the authorization at \$22 million while the Senate suggested \$25 million. The authorization was set at \$22,500,000, very near the House figure. In the 1954 act, the authorization stayed at the House figure of \$22,500,000, although the Senate suggested \$25 million. In the 1956 act the House set their figure at \$25 million while the Senate, as a result of bipartisan floor action, set the figure at \$33,750,000. This was compromised at \$30 million.

This year the House has not suggested an increase, while the Senate has before it a bill which will provide \$36 million. The action over the year on the part of the Congress is most significant, because each year the executive branch has not recommended increases, despite the growing need for these highways. It has consistently opposed increased authorizations, while with bipartisan unanimity the Congress has suggested and provided increases.

This year the Budget Bureau recommended that authorizations not even be made and that the Congress turn over to it the responsibility for setting program levels. The Public Works Committees of both Houses have declined to turn this authority over to the executive branch.

In December of 1957 the Senate Public Works Committee, under the able leadership of the chairman of the Road Subcommittee, the Senator from Tennessee [Mr. GORE], held extensive field hearings on forest roads throughout the West. Six hundred and twenty pages of testimony were taken on forest-road problems. These hearings showed tremendous interest in providing an adequate system of service roads to develop our national forest resources.

Forest development roads are badly needed. On 193 of the national forest working circles, less than 70 percent of the allowable cut is being marketed, while on another 64 between 70 and 90 percent of the cut is being sold. On 50 working circles, lack of roads is the major cause of this situation. In each and every national forest area a complete system of service roads is needed in order to realize the full benefits for the public. A few years ago the allowable cut for the national forests was 9 billion board-feet. Today it is set at 10 billion board-feet. The Forest Service estimates that by the year 2000 it will be 20 billion feet. This can only be realized if we provide all the tools for effective management.

The record of cutting on the Forest Service lands justifies our doing this. In 1935, only 1 billion board feet of timber was cut which was valued at \$2,200,000. By 1945 the cut had climbed to 3.3 billion board feet valued at \$13 million. In 1953 the 5 billion mark was passed and revenue rose to \$70 million, and in 1956 the 7 billion board foot mark was reached with revenues at \$100 million. While price rises and inflation have been

factors, there has been a 7-fold increase in timber cut since 1935.

Nineteen hundred and thirty-five was not a peak year in national lumber production. Only 20 billion board feet, about 60 percent of the production of the twenties, was obtained due to the effect of the depression. However, while national lumber production has slowly climbed back to the 37 billion board-foot level, national forest timber cuts have constantly climbed so that it now represents one-fifth of the timber we use annually.

In addition to providing substantial funds to accelerate construction of timber access roads, the committee has called upon the Department of Agriculture to speed completion of its long-range road program in order to present it to the Congress.

The bill before us also provides for a study by the Secretary of Commerce in cooperation with the States covering the forest highway program. Last November the Secretary of Commerce, without consulting the States, revised a 35-year-old formula for the distribution of forest highway funds. The committee bill proposes to accept the 1959 apportionment as a "fait accompli," while requiring for 1960 and 1961 that the Secretary of Commerce apportion the funds using the same percentage for each State that was used in fiscal year 1958. The Congress will then consider the recommendations for a new formula to be made by the Secretary of Commerce by 1960.

I am particularly pleased that the committee unanimously decided to emphasize to the Department of Commerce that we expect there to be full and complete cooperation with the States on this program.

Mr. NEUBERGER. Mr. President, I believe the distinguished chairman of the Subcommittee on Public Roads is owed a great debt by every single Member of the Senate, as well as the residents of the public-lands States from the Continental Divide westward.

There have been few instances in recent times that I know of when a Senator from a State on the Atlantic seaboard has come to the western part of the country, during the Christmas season, away from his family and closest friends, in order to hold hearings in some of the great centers of the West and Northwest, so he could build a record to familiarize himself and members of his committee with problems which are immediately germane and local to our States, with respect to road construction in national forests and the public domain.

I am certain I speak for all my colleagues from the 11 Western States when I say to the distinguished junior Senator from Tennessee we are deeply and profoundly grateful to him. I am proud to have been his companion during our Pacific Northwest hearings. Beneficial legislation has resulted.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. NEUBERGER. I am very pleased to yield to the Senator from Montana.

Mr. MANSFIELD. I should like to join my distinguished colleague, the junior Senator from Oregon, in taking this opportunity to pay tribute to our distinguished and hard-working colleague, the junior Senator from Tennessee [Mr. GORE]. We both know that he came to our part of the country and held hearings in Idaho and Montana, specifically at Lewiston, Idaho, and Missoula, Mont. He knows as much as any-



one outside our area, with the possible exception of the distinguished Senator from Oregon, about the Lewis and Clark Highway, the Lolo Pass, and the difficulties which we faced in establishing a transcontinental highway through that area. On behalf of the people of the State of Montana I desire to say that we are indebted to the distinguished Senator from Tennessee for the great support and the tremendous strength he has exhibited in our behalf, and he will never be forgotten by the people of the Northwest who have benefited so greatly because of his personal interest and his understanding, and his great breadth of vision.

Mr. NEUBERGER. I thank the Senator from Montana for his observation. Before I yield to the junior Senator from Colorado [Mr. CARROLL], I should like to add to the list of geographic areas where hearings were held, I believe the able Senator from Tennessee presided over hearings at Albuquerque, N. Mex.; Portland, Oreg.; and Seattle, Wash.; to show how universally he covered our Western States.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. CARROLL. I wish to associate myself with the remarks of the distinguished Senator from Oregon and the distinguished Senator from Montana. The bill is of vital importance to Colorado, and we are grateful to the junior Senator from Tennessee not only because of this particular amendment, but because of the wonderful work he performed in behalf of our State by his efforts in furtherance of an adequate Federal road program. For years the State of Colorado and the State of Utah have sought to participate in an East-West transmountain link in the Interstate Road System. Although Colorado and Utah received the transmountain mileage designation of 547 miles last fall, that mileage was not scheduled to have funds apportioned to it until the rest of the Interstate Road System was completed years in the future. This bill now, for the first time, permits the new Colorado-Utah link to qualify for funds. This is due largely to the work of the junior Senator from Oregon, the masterful leadership of the junior Senator from Tennessee, and to the work of the other members of the Public Works Committee.

Mr. NEUBERGER. Particularly the junior Senator from Tennessee, because I am only a relatively new Member of the Senate. It is my opinion that a Senator rarely deserves great credit for work he does for his own State or in his own State. That is the bread and butter of American politics, and we all know it. But when a Senator goes 3,000 miles across the country, shows a genuine interest in the problems of that area, spends the Christmas season there, expends a lot of time and energy there, when the weather is not so good, and devotes himself to problems of other States, that is showing a genuine interest, and we appreciate it.

Mr. CARROLL. I may say that is one of the reasons why the people of Colorado, the West, and the Rocky

Mountain region will be glad to have the junior Senator from Tennessee come and visit with them and speak to them on March 29, this coming Saturday, will be not only to tell them about the issues before us here in Washington, but about their interstate and ABC road systems.

Mr. NEUBERGER. The people of Colorado could not listen to a better speaker than the junior Senator from Tennessee.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I was delighted that it was possible for the junior Senator from Tennessee to go to Oregon, because I wanted someone who did not live in New Mexico, Arizona, or California to go there. I was only too glad to insist that the Public Works Committee request the chairman of the Subcommittee on Roads to go to the State of Oregon and see the beautiful forests in that State.

Mr. NEUBERGER. None of this would have been possible without the leadership of the distinguished Senator from New Mexico, the chairman of the committee.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. LANGER. As one of the cosponsors of the amendment, I am delighted at the prospect of its adoption. I only regret it does not provide funds for the construction of roads to mines. There are many mines containing valuable strategic minerals which it is impossible to reach unless roads are built to them over public lands.

Mr. NEUBERGER. I may say to my friend from North Dakota the bill which was reported by the able Senator from Tennessee, as amended by the proposal of the Senator from Montana, the Senator from Colorado, and cosponsored by others of us, will provide access to mines, sawmills, logging camps, and all activities on the public lands which belong to the United States.

Mr. LANGER. I am delighted that the bill is to be amended.

Mr. THYE. Mr. President, I have time on this side.

The PRESIDING OFFICER. The Senator from Oregon has the floor and has 1 minute remaining.

Mr. NEUBERGER. Mr. President, I should like to ask the Senator from Minnesota to give me 2 or 3 minutes of time. Then I shall yield the floor and the Senator can make remarks in his own right, if that is agreeable.

Mr. THYE. I believe the time on the other side is exhausted.

Mr. NEUBERGER. That is my understanding.

Mr. THYE. I will yield 2 minutes of time from this side to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 minutes.

Mr. GORE. Mr. President, will the Senator yield?

Mr. NEUBERGER. I am happy to yield to the Senator who is responsible for all this. Perhaps we can get addi-

tional time, after the Senator has made his remarks.

Mr. GORE. Mr. President, I am very, very grateful to the distinguished chairman of the full committee, the able and fine senior Senator from New Mexico [Mr. CHAVEZ], the junior Senator from Oregon [Mr. NEUBERGER], the junior Senator from Montana [Mr. MANSFIELD], the junior Senator from Colorado [Mr. CARROLL], the senior Senator from Idaho [Mr. DWORSHAK], the senior Senator from Wyoming [Mr. BARRETT], and the senior Senator from Colorado [Mr. ALLORT] for their very generous and kind remarks.

Knowledge is power. The true purpose of committee hearings is the acquisition of knowledge upon which to act. Knowledge of problems creates the power to value them. The power to accomplish good is available to a man in very few places equal to the floor of the United States Senate. If I have been a part of some good accomplishment for the great western part of the United States then I have been a part of making America stronger. When America is made stronger my own native State and the people therein are helped.

I have great difficulty delineating between what is good for America and what is good for Tennessee. It seems to me that what is good for the Northwest in bringing about development, conservation, and progress, which makes America stronger and more prosperous, is good for Tennessee.

In that connection, the amendment presented by the able junior Senator from Montana and those who have cosponsored the amendment seeks to do for the roads relating to forests the same thing which the committee has recommended that the Congress do for the primary, secondary, and urban highways.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. THYE. Mr. President, I yield an additional 2 minutes to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for an additional 2 minutes.

Mr. GORE. The committee may have been remiss in not recommending a step-up in fiscal year 1959 funds for the forest roads, the same as we recommended for the primary, secondary, and urban roads. The amendment proposes to do no more and no less than that. I think it has added appeal from the fact that the States in the Northwest are in an area of the highest unemployment in the Nation. Is that not true?

Mr. NEUBERGER. Unfortunately, it is true.

Mr. GORE. In view of those facts, Mr. President, there is no basic and logical reason on which I can oppose the amendment. I am not authorized by the committee to accept it. I suggest the Senate vote on it, and vote for it.

Mr. NEUBERGER. I thank the Senator from Tennessee.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield to the Senator from Idaho.



The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. CHURCH. I wish to associate myself very, very briefly with the remarks made with reference to the distinguished Senator from Tennessee. I would only add, since the Senator from Tennessee has spoken, he has given added evidence of the fact that he is not only a very great Senator from the State of Tennessee, but he is a great Senator of the United States of whom all of us can be proud.

Mr. GORE. I thank the Senator.

Mr. NEUBERGER. Of that fact there has never been any doubt, and I am glad to have the Senator from Idaho enunciate it.

Mr. President, I was going to make an additional statement about the bearing of the amendment on the forest roads and the forest access roads in my own State. In view of the fact that the distinguished chairman of the subcommittee has accepted the amendment sponsored by the Senator from Montana and the Senator from Colorado, and cosponsored by others of us, it seems to me further talk would be redundant, and I therefore ask unanimous consent to have the statement printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR NEUBERGER, AS COSPONSOR OF MANSFIELD-ALLOTT AMENDMENT

S. 3414 provides a \$400 million increase for ABC roads for 1959, about a 40 percent increase, but no 1959 increase for forest highways or forest development roads and trails. This amendment would provide \$10 million additional for forest highways (25-percent increase) and \$13 million for forest development roads and trails (33-percent increase).

It would apply the 1958 formula to all the forest highway funds for 1959. If adopted Oregon would get \$5,510,000 in 1959, compared to \$4,306,115 at the \$30 million level with the new formula. If the new formula was applied to \$40 million, Oregon would get \$5,740,000.

Despite the fact that 35 percent of all the timber cut from the national forests (2.8 billion feet) comes from the Northwest, only 42 miles of new timber access roads costing \$1.7 million were constructed in the Pacific Northwest last year. One thousand one hundred and forty miles were constructed by timber purchasers at a cost of \$20.3 million.

The supervisor of the Umpqua National Forest reports that the slump in the lumber market has and will reduce road construction by timber purchasers.

Oregon is one of the highest States in unemployment. Unless we counteract the cut in economic activities with Government construction of timber access roads, the aggravated unemployment in the lumber industry will be worsened.

The construction of forest roads gets the construction into areas hard hit by unemployment. In the Pacific Northwest alone, 8,205 miles of timber access roads are needed at an estimated cost of \$133 million for just the next 5 years.

Mr. THYE. Mr. President—

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. THYE. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD some remarks I was going to make relative to forest highways, as well as tables indicating the amounts for each State and Alaska under the present funds, and the schedule under the amendment, if adopted.

There being no objection, the statement and tables were ordered to be printed in the RECORD, as follows:

#### FOREST HIGHWAYS

In order to advise the Senate of the effect this amendment would have on the apportionment already made I had a computation prepared which covers the 20 States and Alaska which receive 95 percent of the forest highway funds.

Each State listed would receive an increase over the funds they are now scheduled to receive. This amendment would enable the forest highway program to proceed in accord with the speedup in the primary and secondary advance scheduled in S. 3414.

	Present funds at \$30,000,000 authorization	Schedule under amendment at \$40,000,000 authorization
Arizona.....	\$1,540,000	\$2,251,000
Arkansas.....	483,000	543,000
California.....	4,102,000	5,728,000
Colorado.....	1,842,000	2,872,000
Florida.....	188,000	232,000
Idaho.....	2,883,000	4,072,000
Michigan.....	370,000	429,000
Minnesota.....	380,000	553,000
Missouri.....	185,000	204,000
Montana.....	2,248,000	3,188,000
Nevada.....	649,000	717,000
New Mexico.....	145,000	1,602,000
North Carolina.....	195,000	246,000
Oregon.....	4,306,000	5,510,000
South Dakota.....	168,000	313,000
Utah.....	1,027,000	1,328,000
Virginia.....	214,000	260,000
Washington.....	2,498,000	2,780,000
Wisconsin.....	212,000	223,000
Wyoming.....	1,121,000	1,706,000
Alaska.....	2,652,000	3,486,000
Total.....	28,408,000	38,243,000

Mr. THYE. Mr. President, I am a cosponsor of the amendment and I have always been in favor of forest highways. They serve many useful purposes.

First, of course, forest highways give added protection against fire. They permit access to the area very readily by vehicles.

Another good feature of the forest highways is the access they provide to persons who cut timber, since the Government lets contracts for the cutting of timber. The access roads make it possible for small bidders to participate and make bids. That is an advantage.

Reforestation and proper management of the forests become more possible with proper access to the forest areas.

For those reasons, among others, I join as a cosponsor of the amendment.

The PRESIDING OFFICER. Does the Senator yield back the remainder of his time?

Mr. THYE. Mr. President, I know of no Senator on this side who wishes to speak on the amendment. Therefore, I yield back the time remaining to me.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment offered by

the Senator from Montana [Mr. MANSFIELD] for himself and other Senators.

The amendment was agreed to.

Mr. HRUSKA. Mr. President, I call up an amendment at the desk, pertaining to section 11, identified as 3-24-58-C, offered by the Senator from Oklahoma [Mr. KERR] and by me.

The PRESIDING OFFICER. The clerk will state the amendment for the information of the Senate.

The LEGISLATIVE CLERK. On page 20 it is proposed to strike out lines 3 through 14, inclusive, and insert in lieu thereof the following:

(a) Availability of Federal funds for reimbursement to States: Subject to the conditions contained in this section, whenever a State shall pay for the cost of relocation of utility facilities necessitated by the construction of a project on the Federal-aid primary or secondary systems or on the Interstate System, including extensions thereof within urban areas, Federal funds may be used to reimburse the State for such cost in the same proportion as Federal funds are expended on the project, but not to exceed 80 percent of the cost of the relocation: *Provided*, That Federal funds shall not be apportioned to the States under this section when the payment to the utility violates the law of the State or violates a legal contract between the utility and the State.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 30 minutes. How much times does the Senator yield to himself?

Mr. HRUSKA. I yield myself 10 minutes, Mr. President.

The PRESIDING OFFICER. The Senator is recognized for 10 minutes.

Let there be order in the Chamber.

Mr. HRUSKA. Mr. President, the amendment proposes to strike section 11 of the bill, pertaining to the reimbursement for cost of relocating of utility facilities in the construction of Federal-aid highways.

I should like to invite the attention of Senators to the fact that the section which presently obtains is found on page 46 in column 1 of the committee report. The substitute language in the bill, which consists of section 11a, is found in the second column.

Mr. President, I ask unanimous consent that the text of both sections be printed in the RECORD at this point.

There being no objection, the texts of the sections were ordered to be printed in the RECORD, as follows:

#### PUBLIC LAW 627, 84TH CONGRESS

##### SEC. 111. Relocation of utility facilities.

(a) Availability of Federal funds for reimbursement to States: Subject to the conditions contained in this section, whenever a State shall pay for the cost of relocation of utility facilities necessitated by the construction of a project on the Federal-aid primary or secondary systems or on the Interstate System, including extensions thereof within urban areas, Federal funds may be used to reimburse the State for such cost in the same proportion as Federal funds are expended on the project: *Provided*, That Federal funds shall not be apportioned to the States under this section when the payment to the utility violates the law of the State or violates a legal contract between the utility and the State.



SUBSTITUTE LANGUAGE IN BILL AS REPORTED  
SECTION 11A

"(a) Availability of Federal funds for reimbursement to States. Whenever a State under State law is required to pay for all or any part of the cost of relocation of utility facilities necessitated by the construction of a project on any of the Federal-aid highway systems, Federal funds may be used to reimburse the State for such cost in the same proportion as Federal funds are expended on the project not to exceed 70 percent of such cost which the State is obligated to pay: *Provided*, That such reimbursement shall be made only after evidence satisfactory to him shall have been presented to the Secretary substantiating the fact that the State has paid such cost from its own funds."

(b) This section shall apply only with respect to Federal-aid highway projects covered by formal project agreements executed by the Secretary subsequent to the date of enactment of this act.

Mr. HRUSKA. Under the terms of the statute as it now exists, whenever the State shall pay for the cost of relocating utility facilities there is reimbursement in the same proportion as the reimbursement for the entire project. The principal change in section 11 of the bill is that the State must be required under a State law to pay for that relocation before such reimbursement is in order.

Mr. President, it is my information and understanding that in the present situation, if section 11 of the bill is made effective, the reimbursability of costs for relocating utilities will be destroyed insofar as most of the States are concerned. For that reason it is considered that a good deal of hardship will be visited upon the various communities where such reimbursement is called for.

Section 111 of the present Federal Highway Act was adopted after a great deal of consideration. In the separate views opposing section 11, beginning on page 52 of the report, is detailed the well-processed and well-seasoned legislative activity that was undertaken, and which transpired before the present section was adopted.

There were hearings as far back as 1952. They were additional hearings in the 83d Congress. There was a study by the Department of Commerce, which was directed by the 83d Congress, and which is the subject of a House report, House Document No. 127 of the 1st session of the 84th Congress.

There were further hearings in the 84th Congress before section 111 was adopted. It was the clear intent not only of the drafters of the legislation, but also of the conference committee, that the reimbursement should be made in accordance by the same procedures that were in effect pursuant to the practices and procedures of the Bureau of Public Roads. Section 111, as it is now effective, simply put into statutory form what the practice of the Bureau of Public Roads was prior to that time.

The principal difference between the two sections at issue is a substantial one. The fact is that in many of the States reimbursement for the cost of relocating utilities had grown up as a matter of practice. There were negotiations between the State highway departments and the utilities which resulted in arriving at a figure which was considered

satisfactory to both sides. After such an agreement had been reached, it was the practice of the Bureau of Public Roads to look into the situation, check it, and allow reimbursement for the costs involved.

Mr. BARRETT. Mr. President, will the Senator yield to me?

Mr. HRUSKA. I yield to the Senator from Wyoming.

Mr. BARRETT. I should like to ask the distinguished Senator from Nebraska how the committee distinguished between States in which the highway commissions are required by law to pay for the relocation of utilities and States in which the highway commission decides, as a matter of fairness and equity, to pay for the relocation.

Mr. HRUSKA. I do not know that the majority of the committee distinguished on that basis.

The reason assigned by the majority of the committee for proposing the amendment which is found in section 11 is briefly this: Since 1956, when the present Highway Act was passed, approximately 17 or 18 States changed their laws so that they could qualify for reimbursement for the cost of relocating utilities. It was said by the majority of the committee that the costs involved in such reimbursement reached a much higher figure than the committee originally contemplated; and because of the amount of such costs, and not because of any lack of equity, it was said that the arrangement should be changed so as to limit the number of States which would be eligible to receive reimbursement. That is the tenor of the argument, but there was no distinction in the committee on the basis of States which voluntarily reimbursed such costs and those which did not.

Mr. BARRETT. The committee recommends an amendment to the bill which would require so much to be paid out of Federal funds in instances in which the State law requires reimbursement for relocation.

Mr. HRUSKA. That is correct. Under the committee amendment there must be a law affirmatively obligating the State to pay. That is not true in a number of States where, as I explained a little while ago, a practice has grown up under which, if the construction of a highway interferes with utilities, equitable claims of utilities occupying the right-of-way, are recognized. The principal difference lies in that basis.

Mr. BARRETT. I thank the Senator.

Mr. HRUSKA. By way of illustrating how this provision would affect particular localities, I invite the attention of Senators to the situation in Omaha, Nebr., my home city. We have there a metropolitan utilities district, which is a municipal corporation. It owns, and has owned since approximately 1913, the water and gas systems. We also have the Omaha Power District, a publicly owned municipal corporation. It is estimated—and I have here the breakdown of the estimates—that the relocation of the water and gas mains there will cost approximately \$1.5 million. The costs of relocating the public power facilities will approximate \$1,100,000.

It is submitted that if section 11 is enacted into law, under present legislation, those utilities will not qualify for reimbursement, which would involve an injustice and an inequity, because the cost of relocation of the utilities is as much a part of the cost of the project as is the cost of cement, steel rods, and the right-of-way.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HRUSKA. I am glad to yield to the Senator from Virginia.

Mr. ROBERTSON. Is it not a fact that the agencies, both Federal and State, which regulate utilities allow them a fixed return on their invested capital after their necessary expenditures?

Mr. HRUSKA. That is correct.

Mr. ROBERTSON. And, if we arbitrarily impose a new burden on them to relocate their facilities, all they have to do is to charge it to their operating expenses and pass it on to their customers, because they can get their 6 percent, or whatever the local regulatory body allows. We cannot force them to assume a new burden which would put them below their authorized return. So the assumption that we can change 10 percent to 30 percent is quite fallacious, because we cannot make the utilities assume the cost. They may pay it originally, but they can add it to the cost of doing business, and pass the cost on to their customers.

Mr. HRUSKA. The Senator is correct, because the cost is borne by the users of the utilities.

The situation which will result if this section is enacted is this: In those communities which are traversed by the Interstate System, the users of the utilities will pay the bill for relocation. In cities which do not have the Interstate System passing through their communities, the users of the utilities escape scot free; yet they are close enough to the Interstate System to get the full benefit of it. That is not fair.

Mr. ROBERTSON. Mr. President, will the Senator yield for a question?

Mr. HRUSKA. I yield.

Mr. ROBERTSON. Virginia originally changed her law, so that now the proposed change in the 90-10 ratio will throw a new burden on the State of Virginia with respect to relocating utilities. The Senator from Virginia has an amendment at the desk, which he will offer as a substitute for the amendment offered by the Senator from Nebraska. The amendment of the Senator from Virginia merely strikes out section 11. If that were done, we would revert to the law we have had for many years, providing the 90-10 percent ratio. The House of Representatives has just passed a highway bill. The bill passed by the House does not contain such a provision as is contained in the pending Senate bill. There is no necessity for our jumping in at this time and changing a formula which has been in use for a long time, and which, after much discussion, was included in the Interstate Highway Act of 1956.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. HRUSKA. I shall yield in a moment. I can save the Senator from Vir-



ginia the trouble of offering his amendment by modifying my amendment to conform to what he would like to accomplish. Mr. President, I modify my amendment by striking, on page 2, in line 1, the last two words and the words in line 2 up to the colon. The words to be stricken out would be "but not to exceed 80 per centum of the cost of the relocation:". The effect of that would be to restore to its full effect the present section 11, without impairment.

Mr. ROBERTSON. When the Senator from Virginia is recognized, he will offer the amendment he has at the desk. It will be a complete substitute for the amendment now offered by the Senator from Nebraska.

Mr. HRUSKA. Very well.

Mr. ROBERTSON. It will strike out section 11, and revert to the present law, with the 90-10 ratio.

Mr. HRUSKA. That would be the effect of my amendment, as modified.

The PRESIDING OFFICER. Does the Senator from Nebraska modify his amendment accordingly?

Mr. HRUSKA. I do.

Mr. WATKINS and Mr. ROBERTSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield? If so, to whom does he yield?

Mr. HRUSKA. I yield first to the Senator from Utah.

Mr. WATKINS. What is the situation with respect to States where the Federal contribution on primary and secondary highways is on the basis of 74-26 percent?

Mr. ROBERTSON. The section that would be left in the bill would merely restore the provisions of the present law that applies in any State.

Mr. WATKINS. I could go along with that, but I wanted to be sure.

Mr. ROBERTSON. That is what it does. All that it is necessary to do is to strike out section 11. That eliminates the change the bill proposes to make and leaves the present law as it is.

Mr. HRUSKA. In answer to the Senator from Utah, I should like to say that the language in the present section provides that Federal funds may be used to reimburse States for such cost in the same proportion as Federal funds are expended on the project.

Mr. WATKINS. That is what I want to know. The first sentence in the bill at page 20, line 3, reads:

Whenever a State under State law is required to pay for all or any part of the cost of relocation of utility facilities necessitated by the construction of a project on any Federal-aid highway systems, Federal funds may be used to reimburse the State for such cost in the same proportion as Federal funds are expended on the project.

Would not that language take care of it?

Mr. HRUSKA. No; it would not.

Mr. WATKINS. Why not?

Mr. HRUSKA. Because, if the Senator is reading from the bill, the language provides "whenever a State under State law is required to pay."

Mr. WATKINS. The Senator would include States which are not required to pay. Is that correct?

Mr. HRUSKA. States which are not required by affirmative statutory and mandatory action to pay. That is the distinction. It is quite an important distinction, because there are several States which will not qualify under section 11 as proposed in the bill, but who do qualify under the present statute.

Mr. WATKINS. It would take care of States in which the law requires that they pay all the cost, or which pay something, although not required to do so by law.

Mr. HRUSKA. That is correct.

Mr. YARBOROUGH. Mr. President, I should like to call attention to my amendment on this subject, which, so far as city-owned or publicly owned utilities and cooperatively owned utilities are concerned, would reenact the 1956 law. It was brought out in committee hearings that the Federal Government is being milked as a result of the 1956 law. As a result of the 1956 law, measures were introduced in 40 State legislatures to permit the uncontrolled reimbursement of utilities for the cost of moving their lines. Sixteen States passed such law. It was one of the biggest giveaways that I know of.

I call the attention of the Senate to the fact that if the utility owns land and the land is taken for highway purposes, the land is condemned, and the utility is paid 100 cents on the dollar, even in the absence of any law. We are dealing, in this amendment, with the cost of moving the utility's pipes, and poles, and lines, if they are out on the State highways, not the cost of their land or their poles. If any of the property is taken, which includes lines, and poles, or pipes, or anything else, the utility is reimbursed 100 percent. My amendment has been printed.

Mr. HRUSKA. I would prefer it if the Senator would submit his amendment on his own time, instead of debating it on my time.

Mr. YARBOROUGH. I thank the Senator from Nebraska for giving me the opportunity to call the attention of the Senate to my amendment.

Mr. HRUSKA. I should like to address myself to the points raised by the Senator from Texas, but I shall do so after I have yielded to the Senator from Minnesota, who has been on his feet for some time.

Mr. THYE. I should like to ask the Senator why the committee has proposed the change set forth in section 11. Why does the committee proposed to change the present law?

Mr. HRUSKA. I suppose I should defer to the majority of the committee to speak for themselves, but the way I understand it is that a number of States amended their laws in order to avail themselves of the statutory form found in the present section calling for a reimbursement of the cost of relocating utilities.

The committee said, "We are paying much more for the cost of reimbursement for relocating of utilities than we anticipated when we put that section in the statute back in 1956." Therefore, in order to stem that tide, it decided to adopt an amendment which will cut

down the amount that is being paid out for that purpose. That is about the sum and substance of it as I see it.

Mr. THYE. Minnesota, of course, through its legislature, complies with the 10-percent contribution. In other words the Federal Government pays 90 percent and the State pays 10 percent. If the proposed change is made in the act then the State will not be qualified to enjoy its authorized 10-percent participation.

Mr. HRUSKA. Yes.

Mr. THYE. That poses a problem for the State of Minnesota, and I am sure it poses the same kind of problem for other States. Therefore, the States should be forewarned before we enact such a change, because the States would not have sufficient funds, nor would they have the right legally under existing laws, to comply with the revision which would be made in the law if we amend that section now.

Mr. HRUSKA. Yes; it would cause some delay, I am sure.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ROBERTSON. Mr. President, will the Senator yield to me?

Mr. HRUSKA. I yield.

Mr. ROBERTSON. Mr. President, I call up my substitute for the pending amendment.

The PRESIDING OFFICER. A substitute is not in order at this time. It is not in order until all time for debate on the pending amendment has either been consumed or yielded back. Three hours of debate have been allowed on the pending amendment.

Mr. ROBERTSON. Can any change be made in the pending amendment?

Mr. HRUSKA. The change has already been made.

The PRESIDING OFFICER. After the time allowed on the pending amendment has been yielded back or consumed, an amendment to the pending amendment, or a substitute for it, may be offered.

Mr. ROBERTSON. The Senator from Virginia gives notice that he will offer a substitute to strike out section 11, so as to return us to the present law. It is a very simple proposal.

Mr. HRUSKA. If the Senator will withhold his request, that is the exact effect of my amendment as already changed. I have changed the proposed amendment so as to strike out the words which make it different from the present section 111. Therefore, if my amendment shall prevail, it will mean that section 111 will be reinstated intact, just as it is.

Mr. ROBERTSON. I am interested in the objective, not in the way it is reached, so I shall gladly support the changed amendment. I do not object to the change.

Mr. HRUSKA. I am sorry I had to do it in the involved way in which I did, but I have a cosponsor of the amendment. The cosponsor was not present when I considered the deletion of the 80 percent clause. He later appeared and consented to the change made.

Mr. ROBERTSON. The Senator from Virginia has one other suggestion to



owned by cooperatives such as the REA's, occupy highway rights-of-way by suffering, or perhaps in some instances by invitation. In any event, they are there.

The rerouting of a highway or the changing of a highway may in some instances create very burdensome costs, costs beyond the ability of a small utility to finance, if it had to pay for them; and in the case of Electric Administration cooperatives, perhaps it would create a cost burden which they could neither finance nor pass on to their customers without impairing the feasibility of the projects on which they had received loans from the REA's.

So I felt that something should be done for them. That was why, in 1955 and 1956, I supported the idea of writing into law a provision which would permit some reimbursement to be made to them.

But at the time we felt that there should be some automatic check on the matter, so the Federal Government would not be called upon to pay exorbitant costs which the State themselves did not recognize or were not willing to share in paying. We felt that if the States were to share in the payment of the reimbursement costs, that would automatically police or check against abuse.

However, we have found that some abuses have developed.

There is this difference between the language which was in the bill as passed by the Senate and the language of the conference report of 2 years ago—

The PRESIDING OFFICER. The time yielded to the Senator from South Dakota has expired.

Mr. CASE of South Dakota. Mr. President, will the Senator from North Carolina yield additional time to me?

Mr. ERVIN. Yes. Will 5 minutes suffice the Senator from South Dakota?

Mr. CASE of South Dakota. Perhaps the Senator from North Carolina will yield an additional 10 minutes to me.

Mr. ERVIN. Perhaps the Senator from South Dakota will be willing to have me yield 5 minutes to him at this time, as the first installment. [Laughter.]

Mr. CASE of South Dakota. Very well.

Mr. ERVIN. Then, Mr. President, I yield 5 additional minutes to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 5 additional minutes.

Mr. CASE of South Dakota. Mr. President, when the bill was passed by the Senate, there were two limitations: first, a percentage limitation—1 or 2 percent—on the project. In the conference it was said it would be difficult to determine how the 2-percent limitation would apply; in other words, the construction of a project might require more than 1 year. The Bureau of Public Roads representatives said it would be difficult to administer such a ceiling.

Consequently, we next talked about a 50-percent limitation.

Thereafter, in the conference, without examining carefully the House provision on this matter, it was said—as such things sometimes occur in conference; and the conference was a long

one; it lasted for several days—"Well, we will yield to the House." But, in yielding to the House language, that was done only with the idea that the States would say, "We will do this on the Interstate System, where Uncle Sam will be liable for 90 percent and we shall be liable for only 10 percent; but we will not do it when the States have to pay 50 percent."

Now I resume reading the testimony given before the committee by the Secretary of Commerce, Mr. Weeks:

Ordinarily, the utilities contributed nothing to the cost of acquiring the rights-of-way, paid nothing for the privilege of installing and maintaining their facilities thereon, and acquired no vested property interest in the rights-of-way. The occupancy of highway rights-of-way by public utilities is usually subject to the condition that the facilities do not interfere with public travel, and prior to the enactment of the Federal-Aid Highway Act of 1956, the great majority of States required the utilities to bear the cost of relocating their facilities when such relocation was necessary to permit improvement of the highway.

That is to say, Mr. President, the great majority of the States have said, "You are occupying a public right-of-way. We provide a service here. You can occupy the right-of-way; that is a concession to you. But if we have to change the road, you will pay your relocation costs."

But after the 1956 act was passed, a change came about; and that is described in the next part of the testimony given by the Secretary of Commerce, Mr. Weeks, before the committee. I now read it, as follows:

Since the enactment of the Federal-Aid Highway Act of 1956, which increased the Federal share of the cost of constructing the Interstate System to 90 percent, and up to 95 percent in public lands States, and expressly authorized the use of Federal-aid funds for reimbursement of the cost of relocating utility facilities, a significant reaction has occurred in many State legislatures. During 1956 and 1957, legislation which would provide for payment by the State of the cost of relocating public utility facilities was considered by the legislative assemblies of 40 States. Such legislation was given favorable consideration in 22 States, but was vetoed in 6 States, so that the legislation became law in 16 States. Under these 16 enactments, only 1 State will pay the cost of relocating utility facilities on all State-maintained highways. Five of the enactments relate to all Federal-aid projects and 10 relate to the projects on the Interstate System only, where the Federal share of the cost is at least 90 percent.

In other words, the experience was that although the legislatures of 40 States considered it, the legislatures of only 16 States passed legislation which was approved and became law; and out of those 16, the legislatures of only 10 States applied it to the Interstate System.

They said, "If Uncle Sam will pay 90 cents on the dollar, this is a good idea, this is a good principle, but we do not see any justice in a proposal that requires us to take care of the utilities on the primary system of roads. We do not see any justice in it in the case of the secondary roads, because there the States will have to pay 50 percent. But we see

justice and equity in it only if Uncle Sam is willing to pay maybe 90 or 95 cents on the dollar. It is okay if Uncle Sam will pay the bill for 90 or 95 cents on the dollar. We are not taking action on the secondary roads."

I thought some of the greatest justice would be done in dealing with secondary roads, which, in many cases, affect municipalities or electrification co-ops, where small businesses would have to bear increased costs.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. ERVIN. I yield 6 additional minutes to the Senator from South Dakota.

Mr. CASE of South Dakota. I thank the Senator.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield to the Senator from Florida.

Mr. HOLLAND. I hope the distinguished Senator will state for the RECORD that this program applies only in cases where public utilities have no legal right to reimbursement. Where public utilities have such rights, a State has always had to pay them as a condition to make the change which was involved.

Mr. CASE of South Dakota. That is correct. In the first part of the Secretary's statement he pointed out that when utilities had a right or a title, the States, or the persons, whichever was paying for the road, had the obligation to reimburse.

Mr. HOLLAND. The States interested in this matter decided that, whatever Federal action was taken, so far as they were concerned they did not feel it was necessary for them to pay, out of their gasoline tax funds or road construction funds, for expenses incurred by utilities which were not legally chargeable against the States. Therefore, there was some justice and reason to the contention of the States that they should not go further than to meet the terms of the interstate system contribution to which the Senator has referred, that being the only change in the system that was enacted by the 1956 law. Is that not correct?

Mr. CASE of South Dakota. I should think it was contemplated, I certainly contemplated, and so stated during the hearings that if the States recognized the equity of taking care of one utility, they would have to take care of a utility whether it happened to be on the Interstate System or on the secondary system.

I should like to read the concluding paragraph of the Secretary's statement, wherein he said:

This drastic change in existing practices was not contemplated when the Federal-Aid Highway Act of 1956 was enacted. The amount of funds authorized by the Federal-Aid Highway Act of 1956 was not determined upon the basis of assuming the general obligation to play the cost of relocating utility facilities within the highway rights-of-way. If Federal-aid funds continue to be available to reimburse the States for the cost of relocating utility facilities, Federal expenditures for that purpose will increase substantially, with the result that correspondingly less will be available for the construction of highways. We also are now considering the



preparation of draft legislation on this subject.

I asked Mr. Tallamy at one point to furnish us with some estimate of what the additional cost would be for the Federal Government under the way the States were handling it. We did not get a figure on that alone. He said it was estimated 3 percent would be added to the cost of the system by reason of this, plus a requirement in the 1956 act that local needs should be considered in the development of the Interstate System. That has been interpreted to mean service roads. So the cost on the utility system alone was not segregated.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. BUSH. Is the Senator saying that the substitute language in the bill as reported meets the views expressed in the testimony of Secretary Weeks?

Mr. CASE of South Dakota. It moves in that direction. I think we would have to say the Secretary's recommendation would probably have been more in favor of a 50-percent limitation, or at least the requirement that there should be some showing that the States actually paid their share of it out of their own funds. I consider that the proviso which I read to the Senator from Nebraska embodies the Secretary's recommendation—that is, the testimony of the Secretary and the representative of the Bureau of Public Roads that it should not be possible for a utility to go to a State and say, "Do not worry about 10 percent. Go ahead and nick Uncle Sam for 90 percent, and we want either cash or a check, or we will bill you for the other 10 percent."

There was a feeling in the committee that there should be a showing that the State had paid its proportionate share of the cost of relocating utilities. That was important, because it would be evidence of the fact that the State was watching the operation and was not agreeing to an exorbitant bill for the relocation of utilities.

Mr. WILEY. Mr. President, will the Senator read the proposal again?

Mr. CASE of South Dakota. The proposal I should like to see added to the language—

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. ERVIN. I yield to the Senator from South Dakota 10 additional minutes.

Mr. CASE of South Dakota. The Senator from North Carolina is becoming very liberal. I hope I will not use that much time.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. CARROLL. Do I correctly understand that the Senator from South Dakota has an amendment to the proposal of the Senator from Nebraska to modify the language of his amendment?

Mr. CASE of South Dakota. The language which the Senator from South Dakota is seeking to defend is the language contained in the bill. The Senator from Nebraska has offered an amend-

ment which would, in effect, nullify the language in the bill.

Mr. CARROLL. Do I correctly understand from the able Senator's presentation that the cost contemplated might approximate 3 percent?

Mr. CASE of South Dakota. I think that is more than it would actually cost, because 3 percent was the figure Mr. Tallamy gave as embracing the utility relocation costs, and also other costs, principally the building of service roads along the Interstate System. But that the cost would run into millions of dollars was equally evident.

Mr. CARROLL. Does the Senator's amendment protect rural electric and telephone co-ops? I am especially concerned with protecting the small rural co-ops.

Mr. CASE of South Dakota. The rural co-ops I think would be largely taken care of by the provision that if a State was required to pay, the cost for it would apply to the right-of-way which affect the co-ops, because they are largely on the secondary roads or on the primary roads. Very few co-op lines are found on the so-called Interstate System of highways.

Mr. CARROLL. For example, I have had several calls from small rural electric co-ops in Colorado which bear out conclusively the presentation made by the Senator from South Dakota. They have advised me that they have neither the working capital nor the financial base to sustain a violent change in their programs such as is brought about by radical relocation of their facilities. I want to be sure that these co-ops are given adequate protection under this bill and are not placed in a position where they could be financially ruined by an order to extensively relocate their powerlines.

Mr. CASE of South Dakota. The two principal changes which are effected by the amendment offered by the Senator from Nebraska are these:

First, the language reported by the Senate Committee on Public Works in the bill places a ceiling of 70 percent on the share of the cost which would fall on the Federal Government. The amendment offered by the Senator from Nebraska would lift that 70-percent ceiling and permit the Federal Government to pay 90 percent, or up to 95 percent, of the cost in the public-lands States.

Mr. CARROLL. Which is similar to the old law.

Mr. CASE of South Dakota. Similar to the present law, which has been in operation.

Mr. HRUSKA. It is identical. If the Senator will yield, my amendment will simply let the present statute stay as it is.

Mr. CASE of South Dakota. Yes. I am trying to make clear the two differences between the amendment and the language of the bill.

Mr. CARROLL. Yes.

Mr. CASE of South Dakota. First, the amendment of the Senator from Nebraska would permit the Federal Government to be charged with 90 to 95 percent of the cost of utilities' relocation, whereas the language reported by the

committee would place a ceiling of 70 percent upon that.

The second thing is that the amendment offered by the Senator from Nebraska does not make any requirement that the State shall have shown that it was paying the other part of the cost itself. The proviso which is in the bill reported by the Senate Committee on Public Works reads:

*Provided*, That such reimbursement shall be made only after evidence satisfactory to him shall have been presented to the Secretary substantiating the fact that the State has paid such cost from its own funds.

Mr. CARROLL and Mr. THYE addressed the Chair.

Mr. CASE of South Dakota. I will yield in a moment. I should like to make a connected statement.

My objection to the amendment offered by the Senator from Nebraska is based as much on the latter point as on the first. I wish I could feel that we had a guaranty the State was checking the cost on the utility relocations and not getting exorbitant bills or unfair bills. I should like to feel that the State was not entering into some sort of an agreement whereby the State could say to the utility, "We will pass a law agreeing to recognize this, if the load can be thrown upon the Federal Government."

I should like to see in the law some provision which will insure that the State shall keep an eagle eye upon the expenditures, which comes only when the State, out of the State's own funds, pays the other share of the cost. There is no such guaranty under the present situation.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. In a moment.

The members of the committee were told that at least in a couple of States the suggestion was made to the State highway commission, "Go ahead and bill the Federal Government for it. We will forget the 10 percent."

The very fact that 40 States considered such proposed legislation, that only 22 States passed it, and that in 6 of those 22 States the bill was vetoed, would indicate that in 24 States they looked at this matter and said, "We do not want to make it a legal responsibility of the States to pay a portion of the cost, nor do we want to accept the responsibility of policing the operation to be sure that this is a sound program, that the costs are reasonable, and that the proper costs will be assessed against utility relocations."

Mr. President, I feel that is a defect in the amendment offered by the Senator from Nebraska. I think I can say that with good grace, because the original utility repayment provision in the act of 1956 was one which I proposed in the committee. I felt that something ought to be done, so that the burden of utility-relocation costs should not fall upon municipalities, should not fall upon small utilities, and should not fall upon the REA co-ops which did not have a proper base on which to distribute the unusual burden of large amounts.



I think we ought to provide in the law some safeguard so that Uncle Sam will not be made a "sucker" in connection with the operation of the law.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield to the Senator from Colorado.

Mr. CARROLL. Is that safeguard in the bill which is now pending before this body?

Mr. CASE of South Dakota. It is in the bill in the proviso which I have read, and is as follows:

*Provided, That such reimbursement shall be made only after evidence satisfactory to him shall have been presented to the Secretary substantiating the fact that the State has paid such cost from its own funds.*

Mr. CARROLL. To what extent must the State pay? What percentage is involved?

Mr. CASE of South Dakota. Whatever would be applicable within the 70-percent ceiling. It would be in the same proportion that the funds are used on the project, with a ceiling of 70 percent.

If the Senator from Nebraska would add to his amendment the proviso I have suggested, then the proportion would be in the same proportion paid on all the systems, even to the 90 percent, but at least we would have the policeman clause, the requirement that the State pay its share out of its own funds, not handling it through some sort of an extrajurisdictional device.

Mr. CARROLL. Mr. President, will the Senator yield further?

Mr. CASE of South Dakota. I yield.

Mr. CARROLL. Can the Senator think of any valid reason why we should change the provision the committee has recommended in the bill now before us?

Mr. CASE of South Dakota. Not with respect to the proviso. I think the argument with respect to whether the ceiling should be 70 percent or 90 percent is a matter of policy for the Congress to determine. If one wants to take the position that the share should be paid in the same proportion that the costs are paid for building a particular highway, that is a matter for determination. I think a checkrein is needed.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. CARROLL. Mr. President, may the Senator from South Dakota have 1 or 2 minutes more, so that I may ask a question or two?

The PRESIDING OFFICER. Does the Senator from North Carolina yield further time?

Mr. ERVIN. Does the Senator wish to propound an interrogatory to the Senator from South Dakota?

Mr. CARROLL. The Senator from Colorado wishes to propound such an interrogatory.

Mr. ERVIN. I am glad to yield to the Senator from South Dakota 4 minutes for that purpose.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 4 additional minutes.

Mr. CARROLL. I thank the distinguished Senator from North Carolina.

In effect, then, the committee has set up a standard, by saying to the State that a greater safeguard is provided if we permit a percentage of 70 percent rather than 90 or 95 percent. Is that not the substance of it?

Mr. CASE of South Dakota. The 70 percent does provide a limitation. However, within the 70 percent the primary roads, secondary roads and urban roads could all be taken care of. The relocations could all be taken care of, because they are, generally speaking, on a 50-50 basis, except in the public land States, and in the public land States most of them would be taken care of. I think there are a few public-land States which get a little better split than the 70-30, but the provision would take care of most of the public-land States.

Mr. CARROLL. I am indebted to the distinguished Senator from South Dakota for his very clear presentation. My next question is: Do we have any idea what will be the cost if we should restore the language of the present statute? What will be the cost of the program if we permit the various giant private utilities to move, in a sense, scot free to relocate their facilities?

Mr. CASE of South Dakota. Mr. President, I wish I could answer that question. I cannot. One reason I cannot is that although I posed the question to the representative of the Bureau of Public Roads I was told the Bureau could not give a firm answer because until the exact location of the interstate system was determined they could not be definite as to the road relocations, so it would be difficult to give a figure.

For instance, suppose the Interstate System should go through a city or the suburban part of a city. Whether the interstate highway goes on street A or on street B may make a great deal of difference as to the cost of the utility relocation. One reason I think the police clause should be in the law is that if there is no police authority involved and if the States can largely escape any sharing in the cost then they may take the interstate highway on a route through the city where the greatest relocation cost will occur. The highway might go down street A, where the cost might be \$3 million, whereas if it went down street B the cost might be only \$1 million. But if the Federal Government is to put up practically all the money, they may take street A, with the \$3 million cost, rather than street B, which they would be inclined to choose if they had to put up a part of the cost.

Mr. CARROLL. I was impressed by the Senator's statement with respect to the possible cost of 3 percent. We spent many hours debating a cost of one-half of 1 percent of the total interstate road costs with respect to billboards. Now we are debating 3 percent of what?

Mr. CASE of South Dakota. Three percent of the estimated cost of the Interstate System. Under the estimate submitted by the Bureau of Public Roads last year, the estimated cost was \$37 billion. I think that is too high, because contracts are being let for something less than that. I think the Senator could use a figure of more than \$30

billion as the cost of the Interstate System, and be conservative.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CARROLL. May I have 1 more minute?

Mr. ERVIN. I will yield 1 more minute to the Senator from Colorado.

Mr. CARROLL. I appreciate the indulgence of the distinguished Senator from North Carolina.

I have tried to make a quick calculation as to what 3 percent of \$30 billion would be. I have become lost in the maze of these large sums. It would be almost \$1 billion. That is what we are talking about in connection with the pending amendment. A little while ago we spent hours debating a percentage of one-half of 1 percent, which would be a sixth of a billion dollars.

Mr. President, have the yeas and nays been ordered on the pending amendment?

The PRESIDING OFFICER. They have not.

Mr. CARROLL. I ask for the yeas and nays on the Hruska amendment.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. ERVIN. Mr. President, I yield 5 minutes to the distinguished Senator from Texas.

Mr. YARBOROUGH. Mr. President, I know that Senators have been receiving requests from the small cities of the country for some method of reimbursement. Many of them say frankly that they will be unable to meet the cost of being on this great Interstate Highway System unless they are reimbursed for the cost of moving municipally owned public utility systems.

It will not be necessary to vote for the pending amendment and give away millions of dollars to those not entitled to it in order to afford the cities such reimbursement. I have an amendment, which has been on the table since last evening, by which we would grant to the municipalities and cooperatively owned utilities the same rate of payment that was granted all utilities under the 1956 Act, and retain in section (b) the same grant that the committee has reported with respect to those States which are required to pay for the movement of facilities of privately owned corporations.

I commend the distinguished Senator from Tennessee [Mr. GORE] and the distinguished Senator from South Dakota [Mr. CASE] for the fine work they have done on this highway bill. A little later I shall offer an amendment by which the cities and cooperatives can be given the privilege of full reimbursement, without the private utilities of the country reaching their hands into the pockets of the taxpayers.

On Friday last, this august body turned down an appeal to raise the personal income tax exemption by \$200, from \$600 a person a year to \$800 per person per year. A little later it voted to give \$124 million to the richest insurance companies in the land.

In the midst of the recession we are voting money for those who need it least,



and we are denying aid to the people who need it worst. The private utilities are not going broke. They have governmental status. They can charge a rate under which they can exist. If they are fortunate enough to be where the great Interstate Highway System is going, there will be an increase in population, in industry, and wealth, so that they will more than make back the cost of the moving of their pipes and lines.

We are not dealing with land taken away from utility companies. We are talking about the cost of moving their facilities off a State-owned, nationally owned, or county-owned highway, where they have their utilities on public land. Where there is a State highway 100 feet wide and a super highway 300 feet wide comes along, if the utility companies own land outside the 100-foot right-of-way, the State right-of-way, the utilities will be paid in full for it. Under the condemnation laws, if the value of their lands includes the cost of moving poles, lines, and pipes they will be reimbursed in full the cost of movement, because the condemnation laws provide they will be reimbursed in full if their land is taken, including the cost of moving facilities, and they will be reimbursed fully, without changing the bill as it now stands. The amendment offered by the Senator from Nebraska pays fully for movement off of State lands.

I appeal to the Senate to let us have an opportunity to vote for the cities and the cooperatives. Let us retain the fine work which the committee has done with respect to private utilities.

The committee has found that since the 1956 act was passed, in 40 States private utilities have come forward with bills, which have been passed in a number of instances. They turn the States into transmission agencies to reach into the Federal Treasury, for what? Not for the States, but for the private utilities. Thank God, a large number of American States in which such proposals were made turned them down. They were turned down by a majority of the States. The States of New York and Washington considered the proposals and adopted laws which limited reimbursement to municipally owned utilities. The States of Washington and New York have adopted the very provisions which we propose in section (a) of the amendment which will come up later.

Mr. President, I yield back the remainder of my time.

Mr. ERVIN. Mr. President, I yield 15 minutes to the distinguished senior Senator from Virginia [Mr. BYRD].

Mr. BYRD. Mr. President, I oppose this 1958 highway bill (S. 3414) for three principal reasons, as follows:

First. It would destroy the pay-as-you-go policy for Federal highway aid, established by the Highway Act of 1956, which set up the road trust fund to assure that special taxes on highway users would be used for highway construction.

Second. In Virginia, and I presume in many other States, it would destroy

the flexibility of State highway programs, and deprive primary, secondary, and county systems which are certainly no less important than the so-called Federal Interstate System, which in Virginia is only 2 percent of the total road mileage.

Third. Over the 4-fiscal-year period 1959-62 this bill would reduce the ratio of highway construction to Federal funds for the ABC regular Federal aid primary, secondary, and urban systems.

This statement to this point clearly states my position as an advocate of continuing construction of good roads under sound programs.

This has been my position for more than 30 years. It has been the Virginia policy for nearly that long. The Virginia system of highways is indisputable evidence of the wisdom in this policy.

My first principal objection to this bill is that it would destroy the solvency of the Federal highway trust fund which 2 years ago was established as one of the most forward steps in the history of Federal participation in highway system development.

When Congress enacted the Federal Aid Highway Act of 1956, it did three things, among others:

It increased taxes on highway users to pay for roads.

It segregated the revenue from highway user taxes into a highway trust fund to be used exclusively for Federal-State highway construction.

It limited the amount to be apportioned among the States to the sum estimated to be available in the trust fund for the fiscal year in question.

The purpose of these three actions was to establish a Federal pay-as-you-build highway construction system. This policy was advocated and urged by the present administration through former Secretary of the Treasury Humphrey and Secretary of Commerce Weeks.

From years of experience I knew this was a sound proposal—one that would get the best system of highways, keep it abreast of the needs, and accomplish the objective at minimum expense to users and to State and Federal Governments.

At the personal invitation of Secretary Weeks and Secretary Humphrey, I joined sponsorship of this Federal policy. Now, 2 years later, Secretary Humphrey has left the Cabinet, and Secretary Weeks and the administration have reversed their position.

But, my position is unchanged. I am still opposed to crash spending highway programs. Those who know highway construction best, know the utter waste they entail.

The teeth of the trust fund were in section 209 (g) of the 1956 act. Section 9 of pending bill suspends that 1956 provision and knocks the teeth out of the trust fund for fiscal years 1959 and 1960.

The effect will be deficit financing of Federal highway construction. The deficit in the coming fiscal year 1959 is undetermined. Bureau of Public Roads

officials have estimated it from zero to more than \$300 million. But they definitely estimate a deficit in fiscal year 1960 of \$1.5 billion, and say it may run as high as \$1.7 billion under this bill.

Under provisions remaining in the 1956 act, deficits must be repaid, and apportionments are limited to the balance remaining in the fund.

Under these conditions it is obvious that at the end of 2 years the trust fund will be approaching insolvency, insofar as sound financing of future highway construction is concerned.

This bill dooms the vital provisions of the highway trust fund under the guise of a 2-year suspension.

The second principal reason why I oppose this bill is the undue emphasis on the so-called Federal Interstate System, at the expense of our State primary, secondary, urban, and county road programs.

The official position of the State of Virginia, as stated by the Honorable F. A. Davis, State highway commissioner, is that we prefer the provisions of the Federal-Aid Highway Act of 1956 to those embodied in S. 3414. The destructiveness of the overemphasis on the Federal Interstate System is documented in the official communication from Mr. Davis, which is being made a part of this RECORD.

It suffices for me to say that under this bill, Virginia would be required to spend 13.3 percent of its State highway revenue on less than 2 percent of the highway mileage in its system.

Without detracting from the desirability of the Interstate System, I submit this would be an unreasonable distortion of its importance.

Virginia, and other States, will be indeed fortunate if Federal highway legislation does not force them to increase their State taxes to match Federal funds financed through deficit spending in Washington.

My third principal reason for opposing this bill is that over the period of fiscal years 1959-62 it would reduce the ratio of highway construction to Federal dollars spent on the regular Federal-aid primary, secondary, and urban systems.

This develops through a complicated procedure in the bill, but by the combination of reductions in the matching formula for 1959 and reduced program in 1961 and 1962, the loss in highway construction totals \$459 million.

If there is any doubt about this calculation, it may be said for the record it was checked Tuesday, March 25, by Mr. F. C. Turner, Deputy Commissioner of the Bureau of Public Roads.

I ask unanimous consent to have printed in the RECORD at this point a tabular presentation of how the loss occurs.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:



## ABC HIGHWAY PROGRAM UNDER S. 3414

Federal highway trust fund expenditure authorizations and State matching requirements for primary, secondary, and urban systems (ABC program), fiscal years 1958-62 (projected)

[In millions]

	ABC program under existing law, fiscal year 1958	ABC program under existing law and S. 3414 proposals, fiscal year 1959	ABC program under proposals in S. 3414		ABC program projected at 1960-61 level for fiscal year 1962	Total, ABC program, fiscal years 1958 to 1962, inclusive	Loss to ABC highway construction program under provisions of sec. 2 of S. 3414
			Fiscal year 1960	Fiscal year 1961			
1. Sec. 1 of the bill would authorize expenditures for the regular ABC program for fiscal years 1960 and 1961. The bill would continue matching requirements for the States on the basis of the existing formula of 50 percent Federal and 50 percent State funds. Figures in the opposite columns represent actual ABC program funds for fiscal years 1958 and 1959, proposals under S. 3414 for fiscal years 1960 and 1961, and fiscal year 1962 projection:							
Federal.....	\$850	\$875	\$900	\$900.0	\$900.0	\$4,425	-----
State.....	850	875	900	900.0	900.0	4,425	-----
Total.....	1,700	1,750	1,800	1,800.0	1,800.0	8,850	-----
2. Sec. 2 (a) of the bill would provide additional appropriation from the highway trust fund of \$400,000,000 for fiscal year 1959. The bill would further provide in sec. 2 (d) that the Federal share of the program financed under this new authority would be 70 percent and the State share 30 percent (instead of the existing 50-50 formula). The figures in the opposite columns represent the level of the regular ABC program together with the program expansion proposed under this \$400,000,000 additional 1959 authority:							
Federal.....	850	1,275	900	900.0	900.0	4,825	-----
State.....	850	1,046	900	900.0	900.0	4,596	\$220
Total.....	1,700	2,321	1,800	1,800.0	1,800.0	9,421	220
3. Sec. 2 (e) of the bill would provide further that expenditure of \$115,000,000 be authorized in fiscal year 1959 from the Federal highway trust fund in the form of advances to the States to meet their 30-percent matching requirement for the allocations under the proposed \$400,000,000 additional 1959 authorization. Federal advances may equal 3/4 of the 30-percent State matching requirement, having the effect of increasing the Federal share to a maximum of 90 percent. Provision would be made in sec. 2 (f) for "reimbursement" of such advances from State allocations of Federal funds in fiscal years 1961 and 1962. The figures in the opposite columns represent the levels of the regular ABC program together with the effect of the Federal advances in fiscal year 1959 and their "reimbursement" in 1961 and 1962:							
Federal.....	850	1,390	900	842.5	842.5	4,825	-----
State.....	850	931	900	842.5	842.5	4,366	459
Total.....	1,700	2,321	1,800	1,685.0	1,685.0	9,191	459

Mr. BYRD. Mr. President, there are numerous other objectionable features in this bill but, in summary, those I have mentioned would:

First, destroy the solvency of the pay-as-you-build highway trust fund method of assuring use of highway taxes for road construction;

Second, work hardships on my own State, and I suspect others, by impeding the discharge of its responsibilities to its own citizens, requiring disproportionate expenditures on the Federal Interstate System and perhaps leading to increased State taxes;

And third, reduce the ratio of highway construction to expenditure of Federal road funds.

These three provisions, separately or collectively, are sufficient in my judgment to make this a bad bill. I want this record to show the reasons why I am against it, and for these reasons I shall vote against it.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. Is the Senator from Nebraska prepared to yield back the remainder of his time, and is the Senator from North Carolina also prepared to yield back the remainder of his time?

Mr. HRUSKA. I yield back the remainder of my time.

Mr. ERVIN. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time has been yielded back.

Mr. LANGER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Mundt
Allott	Hayden	Murray
Anderson	Hennings	Neuberger
Barrett	Hickenlooper	Pastore
Beall	Hill	Payne
Bennett	Hoblitzell	Potter
Bible	Holland	Proxmire
Bricker	Hruska	Purtell
Bush	Ives	Revercomb
Butler	Jackson	Robertson
Byrd	Javits	Russell
Carlson	Johnson, Tex.	Saltonstall
Carroll	Johnston, S. C.	Schoeppel
Case, N. J.	Kefauver	Scott
Case, S. Dak.	Kennedy	Smathers
Church	Kerr	Smith, Maine
Clark	Knowland	Sparkman
Cooper	Kuchel	Stennis
Cotton	Langer	Symington
Curtis	Lausche	Talmadge
Douglas	Magnuson	Thurmond
Dworshak	Malone	Thye
Eastland	Mansfield	Watkins
Ervin	Martin, Iowa	Wiley
Flanders	Martin, Pa.	Williams
Frear	McClellan	Yarborough
Fulbright	McNamara	Young
Goldwater	Morse	
Gore	Morton	

The PRESIDING OFFICER. A quorum is present.

Mr. LANGER. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. CASE of South Dakota. Mr. President, has all time expired?

The PRESIDING OFFICER. All time on the amendment has been yielded back.

Mr. KNOWLAND. I yield 5 minutes on the bill to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, Senators may not want to have a yea-and-nay vote on this issue; but the action on this particular amendment probably will draw more attention than any other vote we have had, except the vote on the billboard amendment.

The American Automobile Association, the Secretary of Commerce, and the Administrator of Public Roads all say that some change should be made in the present law.

The debate is too long to review here, but the two issues are these:

The amendment offered by the Senator from Nebraska would revert to the language of the present act, which lets the Federal Government in for paying the share of the utility costs in relocating up to 90 or 95 percent. The language proposed by the Committee on Public Works places a ceiling of 70 percent on that amount. So the question can be answered simply as a matter of dollars and cents.

But in my estimation the most important provision of the language proposed by the committee was a proviso which would require evidence to be presented to the Secretary of Commerce



that the State was paying its share of the cost out of its own funds.

If there is not some check rein like that, the evidence suggests that the relocations are more expensive, because a utility can say to a State highway commission, "Go ahead and put the new road where the utility relocation will require a new distribution system. Uncle Sam will pay 90 percent of the cost. So what difference will it make? We will either forget the 10 percent or will not cash your check, or whatever it may be."

Mr. President, the Senator from Nebraska has just indicated to me that he will be willing to include that proviso in his amendment. In that case, I have nothing further to say.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. HRUSKA. As the offerer of the amendment, I am willing to accept the proviso as an amendment to my amendment.

The PRESIDING OFFICER. The Senator from Nebraska has a right to modify his amendment.

The question now comes on the amendment, as modified. All time on the amendment has expired.

Mr. KNOWLAND. Mr. President, I yield 5 minutes on the bill to the Senator from Tennessee.

Mr. CARROLL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Colorado will state it.

Mr. CARROLL. I should like to know the status of the amendment before the Senate. As I understand it, the original amendment was offered by the Senator from Nebraska. Then it was proposed to be amended by the Senator from South Dakota. I should like to know the status of the amendment at this time.

The PRESIDING OFFICER. The amendment at present consists of a return, in substance, to the act of 1956, with the proviso which was included in the bill reported by the committee, and which the clerk will read.

The legislative clerk read as follows:

*Provided*, That such reimbursement shall be made only after evidence satisfactory to him shall have been presented to the Secretary substantiating the fact that the State has paid such cost from its own funds.

Mr. CARROLL. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield for a question.

Mr. CARROLL. Only a few Senators were on the floor during the recent discussion of the amendment offered by the Senator from Nebraska. In the very crucial argument made by the Senator from South Dakota, it was estimated that the cost of the amendment to the program would approximate 3 percent, and that a very quick estimate of the amount would be approximately \$1 billion.

The Senate has spent many hours yesterday and today discussing the bill-board amendment which involved one-half of 1 percent.

Now I ask this question of the distinguished Senator from South Dakota, who made so brilliant a presentation: By

virtue of the acceptance of his amendment as a modification of the pending amendment, how much of a reduction would be made in the possible cost under this measure?

Mr. CASE of South Dakota. Mr. President—

Mr. GORE. Mr. President, I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. First of all, possibly I did not make myself clear when I discussed the 3 percent. I thought I said that the 3 percent cost estimate by Mr. Tallamy embraced not only the utility-relocation costs, but also the added costs by virtue of the 1956 act which required that consideration be given to the local needs and requirements, which would include the so-called service roads alongside the Interstate roads, and that a substantial portion of the 3 percent should not be charged to the utility item, but should be charged to the service roads.

Mr. Tallamy was not able to give us a firm figure for the utility-relocation costs, because, first of all, they do not know just where the roads will go in suburban areas, where the utility-relocation costs would be the greatest.

But by this means there would be a check on such costs, so that the States would not agree to a relocation which would throw the greatest cost on the Federal Government, if the States themselves had to pay their proportionate share of the cost.

I thought that matter was even more important than the percentage figure which might be used for the ceiling.

Mr. CARROLL. Would not the Senator from South Dakota say that even with his amendment or the modification which provides for that safeguard, that the pending amendment would cost the highway program hundreds of millions of dollars?

Mr. CASE of South Dakota. No, I do not know that I would say that. Of course, I think the cost will be greater if there is a 90-percent ceiling, instead of a 70-percent ceiling. Of course the cost will be higher if the Federal Government pays 90 percent in some instances, rather than 70 percent. But I am not able to say what the difference in dollars would be. However, it would cost more.

Mr. CARROLL. I thank the Senator from Tennessee for yielding.

Mr. GORE. Mr. President, the colloquy between the junior Senator from Colorado [Mr. CARROLL] and the junior Senator from South Dakota [Mr. CASE] has obviated the necessity which I felt to make some remarks.

It was agreed that the junior Senator from South Dakota would wage the fight and would represent the committee on this issue. I support him fully. He has done a brilliant job. I congratulate both him and the Senator from Nebraska [Mr. HRUSKA] for having come closer to agreement on this matter.

The PRESIDING OFFICER. The time yielded to the Senator from Tennessee has expired.

Mr. KNOWLAND. Mr. President, I yield 2 more minutes to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 2 additional minutes.

Mr. GORE. I thank the Senator from California.

Mr. President, had this proviso not remained in the bill, there would have been permitted a continuation of a practice by certain States that has bordered upon a sharp practice, by means of which an arrangement between the States and the utilities has operated in such a way that the State funds were not paid out, yet the Federal Government was forced so to pay.

The bill as reported by the committee recommends and provides that, as a prerequisite for the reimbursement of a State by the Federal Government, there shall be a certification that the State has lawfully made the payment, and thereby is entitled to the reimbursement.

That is now provided for in the amendment; and I see no serious objection to the amendment.

The PRESIDING OFFICER. The additional time yielded to the Senator from Tennessee has expired.

The question is on agreeing to the Hruska-Kerr amendment, as modified. All time on the amendment has expired.

Mr. RUSSELL. Mr. President, will the Senator from California yield to me 1 minute on the bill?

Mr. KNOWLAND. Mr. President, I yield 1 minute on the bill to the Senator from Georgia.

The PRESIDING OFFICER. The Senator from Georgia is recognized for 1 minute.

Mr. RUSSELL. I should like to ask the Senator from Tennessee just what proportion of the Federal funds will be expended for this purpose, under the pending amendment, as modified.

Mr. GORE. Does the Senator from Georgia inquire as to what percentage of Federal funds?

Mr. RUSSELL. Yes. The bill as reported by the committee provided that 70 percent would be paid by the Federal Government. As I understand the pending amendment, as modified, provides that 90 percent shall be paid by the Federal Government.

Mr. GORE. The amendment proposed that the percentage be increased from 70 to 80 percent. If the amendment has been modified in this respect, I am not so advised.

Well, Mr. President, I have just been advised that while I was out of the Chamber, the amendment was modified so as to provide for the arrangement under the present law, namely, 90 percent Federal and 10 percent State, on the Interstate System. In other words, the pending amendment, as now modified, provides for the present law, with the addition of the requirement that before a State shall be entitled to reimbursement, it must certify to the Federal Government that it, the State, has actually made the expenditure, thereby entitling it to the reimbursement.

Mr. RUSSELL. But does not the Senator from Tennessee think that the amount a State would have to pay would have quite a good deal to do with the certification? Why is the Senator from



Tennessee abandoning the provision approved by the committee, namely, that 70 percent of the cost is sufficient to be paid from Federal sources?

Mr. GORE. The committee submitted a similar provision to the Senate 2 years ago, after long and diligent study.

Mr. RUSSELL. We have had some little experience with this program since the long and diligent study, to which the Senator has referred, was made by the committee.

The PRESIDING OFFICER. The time yielded to the Senator from Georgia has expired.

Mr. KNOWLAND. Mr. President, I yield 2 additional minutes to the Senator from Georgia.

The PRESIDING OFFICER. The Senator from Georgia is recognized for 2 additional minutes.

Mr. RUSSELL. Mr. President, I repeat my question.

Mr. GORE. I agree that we have had considerable experience with the program since then.

This amendment, as modified, is not a happy solution; it is a compromise arrangement.

Mr. RUSSELL. I do not see that a compromise is provided for if a return is made to the 90 percent. It seems to me that it would be well to have the figure remain at 70 percent, and certainly not 80 percent or 90 percent, so that the States would have an equitable interest in getting a settlement of these costs.

Mr. CARROLL. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. If I have time in which to yield, I yield. I am speaking by sufferance.

Mr. CARROLL. The Senator from Georgia has put his finger on the nub of the question. It has been said that the question is now one of State certification. What certification, Mr. President? The certification of 90 percent, not 70 percent.

There was a debate on this matter when the Senator was not on the floor. At that time we discussed and debated the cost. The cost was estimated to be almost \$1 billion.

The committee brought forward, in its wisdom, the 70-percent figure.

Now, however, an effort is being made to disregard the committee's recommendation and to revert to the old law.

I agree completely with the Senator from Georgia that the 70 percent should be preserved.

Mr. President, on the question of agreeing to the amendment as now modified, I ask for the yeas and nays.

The PRESIDING OFFICER. All time on the amendment has expired.

The yeas and nays have been requested on the question of agreeing to the Hruska-Kerr amendment, as modified. Is there a sufficient second?

The yeas and nays were ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested, and the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Mundt
Allott	Hayden	Murray
Anderson	Hennings	Neuberger
Barrett	Hickenlooper	Pastore
Beall	Hill	Payne
Bennett	Hoblitzell	Potter
Bible	Holland	Proxmire
Bricker	Hruska	Purtell
Bush	Ives	Revercomb
Butler	Jackson	Robertson
Byrd	Javits	Russell
Carlson	Johnson, Tex.	Saltonstall
Carroll	Johnston, S. C.	Schoeppel
Case, N. J.	Kefauver	Scott
Case, S. Dak.	Kennedy	Smathers
Church	Kerr	Smith, Maine
Clark	Knowland	Sparkman
Cooper	Kuchel	Stennis
Cotton	Langer	Symington
Curtis	Lausche	Talmadge
Douglas	Magnuson	Thurmond
Dworshak	Malone	Thye
Eastland	Mansfield	Watkins
Ervin	Martin, Iowa	Wiley
Flanders	Martin, Pa.	Williams
Frear	McClellan	Yarborough
Fulbright	McNamara	Young
Goldwater	Morse	
Gore	Morton	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment of the Senator from Nebraska [Mr. HRUSKA], cosponsored by the Senator from Oklahoma [Mr. KERR], as modified. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

The Senators from Louisiana [Mr. ELLENDER and Mr. LONG] are absent on official business attending the funeral of the late Congressman George Long, of Louisiana.

The Senator from Oklahoma [Mr. MONRONEY] is absent on official business attending the Interparliamentary Conference in Europe as a representative of the Senate.

Mr. DIRKSEN. I announce that the Senator from Indiana [Mr. CAPEHART] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. JENNER], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

If present and voting, the Senators from Indiana [Mr. CAPEHART and Mr. JENNER], the Senator from New Hampshire [Mr. BRIDGES], and the Senator from New Jersey [Mr. SMITH] would each vote "yea."

The Senator from Illinois [Mr. DIRKSEN] is detained on official business.

The result was announced—yeas 47, nays 38, as follows:

#### YEAS—47

Allott	Ervin	Kuchel
Anderson	Frear	Malone
Barrett	Goldwater	Mansfield
Beall	Hayden	Martin, Iowa
Bennett	Hickenlooper	Martin, Pa.
Bible	Hoblitzell	McClellan
Bricker	Holland	Mundt
Butler	Hruska	Murray
Byrd	Ives	Potter
Carlson	Johnson, Tex.	Revercomb
Case, N. J.	Johnston, S. C.	Robertson
Curtis	Kerr	Saltonstall
Dworshak	Knowland	Schoeppel

Scott  
Smathers  
Talmadge

Thurmond  
Thye  
Watkins

Williams  
Young

#### NAYS—38

Aiken	Green	Neuberger
Bush	Hennings	Pastore
Carroll	Hill	Payne
Case, S. Dak.	Jackson	Proxmire
Church	Javits	Purtell
Clark	Kefauver	Russell
Cooper	Kennedy	Smith, Maine
Cotton	Langer	Sparkman
Douglas	Lausche	Stennis
Eastland	Magnuson	Symington
Flanders	McNamara	Wiley
Fulbright	Morse	Yarborough
Gore	Morton	

#### NOT VOTING—11

Bridges	Ellender	Monroney
Capehart	Humphrey	O'Mahoney
Chavez	Jenner	Smith, N. J.
Dirksen	Long	

So the modified amendment, offered by Mr. HRUSKA for himself and Mr. KERR, was agreed to.

Mr. HRUSKA. Mr. President, I move that the vote by which the amendment, as modified, was agreed to, be reconsidered.

Mr. SALTONSTALL. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts to lay on the table the motion of the Senator from Nebraska.

The motion to lay on the table was agreed to.

Mr. ROBERTSON. Mr. President, I call up my two amendments which are at the desk and I ask unanimous consent that the amendments be considered together.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia? The Chair hears none, and it is so ordered.

Mr. ROBERTSON. One of the amendments, Mr. President, deals with section 7. The other amendment deals with section 9. The two amendments together will cut about \$2 billion from the bill affecting the provision for an accelerated program for the interstate highway. They are important amendments with separate purposes. I do not wish to discuss them very long.

The PRESIDING OFFICER. The clerk will state the amendments offered by the Senator from Virginia for the information of the Senate.

The LEGISLATIVE CLERK. On page 17, beginning with line 13, it is proposed to strike out down to and including line 21 on page 18.

On page 19, beginning with line 8, strike out all down to and including line 17.

The PRESIDING OFFICER. By unanimous consent, the amendments are being considered en bloc. The Senator from Virginia is recognized for 30 minutes.

Mr. LANGER. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. ROBERTSON. Mr. President, during the administration of Governor Byrd of Virginia, Virginians adopted a pay-as-you-go plan to finance the State highways. I think I can say with all due modesty that Virginia now has a system of highways, encompassing 45,000



miles, which compares favorably with the highway system of any other State in the Union, and we do not owe 1 cent of bonded indebtedness on those roads.

Throughout my public career I have taken a great interest in highway construction and good roads. A good highway program was a major plank in my platform when I was elected to the State senate in 1915.

I was a sponsor of a resolution to create a State highway system. The senior Senator from Virginia and the junior Senator from Virginia both served on the commission to lay out a highway system in Virginia. We both sponsored a resolution to adopt the report. We both backed the bill to create a highway department. We both fought a proposal to burden the highway department with bond issues. We finally secured, when the senior Senator from Virginia was governor, the enactment of legislation to finance the highway program by a gasoline tax.

Based upon that experience over the years, the senior Senator from Virginia in 1956—anticipating that some people might be impatient with regard to the 41,000-mile, superduper, 6-lane highway system, might consider that it was not proceeding fast enough, and might feel that the Treasury should be called upon to issue bonds, and thus borrow a vast sum of money—offered an amendment providing that the program should be adopted on a pay-as-you-go basis, and that provision was written into the law.

We now have before us a bill which says, "For 2 years let us borrow \$2 billion and speed up the program. Let us rush into it, although we are not prepared."

I will be frank about it. Virginia cannot meet the requirements of the program. Some 12 States have said they can. How many of the 48 States cannot meet the requirements of the program I do not know, but Virginia is not the poorest State. We have no bonded indebtedness. We have not gone overboard and committed our revenues for interest on bonds. However, we cannot meet the requirements of the program, and I am sure some other States cannot do so.

I feel, Mr. President, that it would be prudent, it would be more efficient, and it would be better for the highway system in the long run, to follow the course I have suggested. Why should we rush to appropriate an extra \$2 billion for the program now, and then make the appropriation that much less 2 years later? What are we going to accomplish by that? In 2 years all the States will be more organized to push the program. The States are not yet equipped for it.

Is this type of program going to afford relief? Of course not. Not a State could let a contract before next year.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. ROBERTSON. I yield.

Mr. SALTONSTALL. I have read the amendments offered by the Senator. If the amendments are adopted, will they not really cut out the whole acceleration program?

Mr. ROBERTSON. That is correct.

Mr. SALTONSTALL. In that event, we might as well pass no bill at all.

Mr. ROBERTSON. Oh, the Senator has not read the bill.

Mr. SALTONSTALL. I have read the Senator's amendments.

Mr. ROBERTSON. The bill contains all of the regular highway aid. The forest roads are covered. The park roads are in the bill. The bill now contains the "sugar plum" that our western friends put in it a while ago. My amendments would not touch any of those items.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. ROBERTSON. We have for consideration all that was in the House bill. Does the Senator think the House did not pass a highway bill? The House passed a bill, but the House did not put any of this program in. The House did not put in the super-duper \$2 billion program. The House bill is in the Senate now.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Will the Senator please suspend. Let the Senate be in order.

Mr. REVERCOMB. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from West Virginia?

Mr. ROBERTSON. I yield.

Mr. REVERCOMB. As I understand, the Senator's two amendments are joined and are considered as one. Do the amendments delete not only the speed-up money for the interstate highways, but also the money for what we call the ABC roads? Do the amendments affect the \$400 million for the ABC roads?

Mr. ROBERTSON. The amendments do not touch the \$400 million. That sum is for other highways. The amendments do not touch the new 70-30 formula. The amendments only seek to delete from the bill the accelerated financing for the interstate roads.

There is \$800 million eliminated from section 7, and the allocation in section 9 is also eliminated. The two together, I believe the Senator from Tennessee will agree, will total approximately \$1.8 billion, or about \$900 million a year. The committee report in one place says \$1.7 billion, but I believe the Senator from Tennessee stated he thought it would be about \$1.8 billion for 2 years, or about \$900 million a year.

So I say that at least \$1,800,000,000 is what would be eliminated from the bill.

This is a simple matter. It involves a great deal of money, but the proposal is very simple. If we wish to continue with a program at a level which the States can meet, we should do so. This is not a program to relieve automobile workers and steelworkers in the next few months, because it will be next year before the program is under contract. We can vote for these two amendments and we shall be back on the pay-as-you-go plan, as contemplated in 1956.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments offered by the Senator from Virginia [Mr. ROBERTSON].

Mr. JOHNSON of Texas. Mr. President, I am prepared to yield back the remainder of my time, provided the Senator from Virginia will do likewise.

Mr. ROBERTSON. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments offered by the Senator from Virginia [Mr. ROBERTSON]. (Putting the question.) The Chair is in doubt, and requests a division.

On a division Mr. ROBERTSON's amendments were rejected.

Mr. JOHNSON of Texas. Mr. President, I am about to yield to the Senator from Montana [Mr. MANSFIELD] for the purpose of offering an amendment, and then I shall ask the Senate to remain in session for the purpose of hearing any Senators who may desire to express their views, and who cannot be present tomorrow. Then I shall move that the Senate adjourn until 12 o'clock noon tomorrow. I express the hope that tomorrow we may consider the various amendments which have been proposed, and have a yea-and-nay vote on final passage some time late tomorrow. I want all Senators to be on notice as to the schedule.

Mr. MANSFIELD. Mr. President, on behalf of the senior Senator from Montana [Mr. MURRAY] and myself, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 24, between lines 9 and 10, it is proposed to insert a new section, as follows:

Sec. 13. Temporary moratorium on matching requirements.

(a) Notwithstanding any other provision of this act or any other law, no State matching funds shall be required with respect to—

(1) Not in excess of \$20 million granted to any State under the provisions of the Federal-Aid Road Act, approved July 11, 1916, and acts amendatory thereof and supplementary thereto, for projects on the Interstate System, or

(2) Not in excess of \$15 million granted to any State under the provisions of such acts for projects on the primary and secondary Federal-aid systems and extensions of such systems within urban areas.

for which formal agreements are entered into with the Secretary of Commerce within 1 year after the date of enactment of this act.

Mr. BUSH. Mr. President, I have grave reservations regarding S. 3414, the proposed Federal-Aid Highway Act of 1958, which is now before the Senate.

Considered as a whole, the bill carries the threat of contributing to a dangerous runaway inflation with the Nation may face next year and in succeeding years.

In our zeal to combat the current recession and the unemployment it has caused, with which we are all so greatly concerned, this Congress, in my judgment, is moving too fast and too far. We will regret it in the not-too-distant future.

Consider the outlook for the coming fiscal year. We already face the prospect of a Federal cash deficit of \$5 billion. Proposals have been made for a



tax cut which would increase the deficit by at least \$5 billion more. We must increase defense spending over the levels of the past year by at least \$1 billion, perhaps more. Other proposed increases in Federal spending could amount to an additional \$4 or 5 billion. Before we know it, we may face a deficit next year of more than \$15 billion. The inflationary potential of such an enormous Federal deficit is frightening. It is a direct threat to the security of many millions of Americans—the beneficiaries of pension funds, the holders of life-insurance policies, those with savings accounts and United States savings bonds; and all others whose accumulated thrift is repayable in dollars.

This bill contains certain emergency provisions intended to accelerate highway construction in the current calendar year and thus combat the recession and unemployment.

I agree that in periods of recession accelerated spending on highways and other public works can contribute to an upturn in the economy. However, I doubt that the emergency provisions of the bill will create as many jobs as its sponsors claim for it, and that the jobs will be created in time to have much effect upon unemployment and business conditions in the months immediately ahead—the critical period in our anti-recession efforts.

Nevertheless, I would support certain emergency features of the bill, together with provisions to encourage State regulation of billboards on the 41,000-mile Interstate System, if they could be considered by themselves.

These provisions, however, are presented in a bill which goes far beyond the present emergency. It proposes to add about \$1.3 billion to an already enormous highway program authorized by the Federal-Aid Highway Act of 1956.

In my judgment, it assigns a wrong priority to Federal spending in the years ahead, years in which we face increasing competition from the Soviet Union in education as well as in military power and science and technology.

I would prefer that a higher priority be given at this time to education, and, specifically, to school construction which represents a far more urgent national need than making bigger a highway program which already is the largest public works undertaking begun by any nation in history. In my judgment, funds spent on accelerating school construction programs through the Nation would have more effect in creating jobs and would serve a greater national interest than adding new Federal dollars to the highway program.

In these critical times, we should be spending as a Nation—at all levels of government—as much money for the character building which education can provide as we spend for road building.

Mr. President, we should not act hastily on a long-range highway program at this time. The legislation we are considering now should be limited to that necessary to assist in the creation of jobs which can be made available in the months immediately ahead. A comprehensive highway bill, which should in-

clude provisions for equitable reimbursement to States for toll and free highways contributed to the Interstate System, can be considered at a later date. When we know whether a tax cut is necessary as an antirecession measure, and when we know the volume of increased Federal spending on other programs, we will be able to act more intelligently in determining the future of the highway program.

For these reasons, Mr. President, I should like to go on record as opposing the bill as reported from the committee.

Mr. MORSE. Mr. President, I should like to have the attention for 3 or 4 minutes of the very able chairman of the Subcommittee on Roads, the Senator from Tennessee [Mr. GORE].

First I wish to compliment the chairman of the Committee on Public Works, the Senator from New Mexico [Mr. CHAVEZ], and the chairman of the Roads Subcommittee, the Senator from Tennessee [Mr. GORE], and each member of the committee on both sides of the aisle for the fine, forward-looking expanded highway program they have reported to the Senate.

The \$400 million proposed to speed up the construction of ABC roads is a most commendable and proper step to fight the recession with a real weapon.

Regardless of what the economic situation may be at any given time, this is a needed program. Thousands of people are killed by our outmoded highways.

The foresight of the Senator from Tennessee, who sparked this drive for a vastly improved highway system, deserves recognition in the four corners of our Nation. His effort and the efforts of all members of the committee to keep the Interstate program on schedule and to step it up by \$200 million is a second example of real leadership.

The committee has taken wise and considerate action with respect to roads on our public lands. Park roads, forest highways, timber access roads, Indian roads, and public land highways have all received well-deserved increases. I do not want to make a speech on timber access roads. I do not think this is necessary. The Senate has provided a substantial increase for 1959 as well as for 1960 and 1961, and, in my judgment, it shows that the counsel of the Senators from the Pacific Northwest has been heeded. I think that the presence of my colleagues, DICK NEUBERGER and FRANK CHURCH on the committee has been helpful in assuring that our great natural resources will be protected and developed.

#### TIMBER ACCESS ROADS

As one Senator from the State of Oregon, I wish to thank both my colleague [Mr. NEUBERGER] and the Senator from Idaho [Mr. CHURCH] on behalf of the people of the Pacific Northwest for the great assistance they have rendered in the fight this year for appropriations for timber access roads. The committee has made public hearings on timber access roads permissive rather than mandatory.

I wish to ask a few questions of the Senator from Tennessee at this point.

First I should like to have him know that all over the State of Oregon on many platforms, since he held his hearings last fall, when he brought his subcommittee to the State of Oregon and conducted his investigations into our highway programs, particularly our forest and timber access roads, I have expressed to the Senator from Tennessee the thanks of the people of Oregon for his statesmanship. Here on the floor of the Senate tonight I wish to say that I do not know of anything in recent years that has done more to clarify thinking in the State of Oregon and to impress upon the people of the State the importance to sound timber management of adequate forest and timber access roads than the hearings which the Senator from Tennessee conducted last fall. Although I have thanked him privately, I now wish publicly, on the floor of the Senate, to thank him not only in behalf of the people of my State, and the people of the Pacific Northwest, but, in essence, for the people of the whole country, for the work he did by the hearings he conducted last fall.

Mr. GORE. I thank my able friend for his exceedingly generous remarks. It was my privilege to conduct hearings in the State of Oregon and in other Northwestern States. The result of the hearings was the building of a record and the acquisition of knowledge upon which the committee was able to act with benefit to the whole Nation.

Mr. MORSE. With the patience and indulgence of the Senator from Tennessee, I should like to ask him a few questions.

Is it the understanding of the Senator from Tennessee that the Forest Service will hold appropriate hearings on its overall timber-sale program, including its access-road plans, and that, if anyone requests a hearing on a specific project, a hearing will be held?

Mr. GORE. Yes, indeed.

Mr. MORSE. I want the Senator to know that I am asking these questions because I believe it is important that we make this legislative history tonight. There is always the possibility, and in a bill so broad as this one there is always the probability that subsequently on some matter there may be litigation. I believe that the courts are deserving of the cooperation I am seeking to extend to them on the floor of the Senate tonight by building this legislative record as to the congressional intent.

Is it also the understanding of the Senator from Tennessee that substantial sums will be saved by this revision?

Mr. GORE. Yes.

Mr. MORSE. Is it also correct that manpower will be released from paper work so that more roads will be built for the taxpayer's dollar?

Mr. GORE. I believe that is correct.

Mr. MORSE. I also note in the committee report, on page 21, that the committee will call on the Department of Agriculture to submit a long-range timber access road program and a résumé of legislative needs as soon as possible.

Will the Senator from Tennessee say that, in view of the recession, it would be desirable to have that report within 60 days in order that we might proceed



on a sound basis if the recession should call for more action?

Mr. GORE. It will be desirable to have the report as expeditiously as possible. As the able Senator from Oregon knows, the Northwestern States are suffering the highest rate of unemployment of any States in the Nation.

I hope that this fact alone, plus the need for economic stimulation nationally, will result in the expedition of the report.

Mr. MORSE. I think that is a very satisfactory answer. In my judgment, in view of the recession which confronts us, a period of 60 days should not be considered unreasonable or excessive.

Mr. GORE. I agree.

Mr. MORSE. Is it also the view of the Senator from Tennessee that the Secretary of Agriculture should make immediate and full use of the contract authority he has for forest development roads and trails?

Mr. GORE. To the extent that the contracts can be put under effectual and efficient expenditure, yes.

Mr. MORSE. Am I correct in my understanding that the Senator from Tennessee means to make clear by his discussion of the matter that the Secretary of Agriculture will be requested to submit facts by a certain date?

Mr. GORE. I will direct the staff of the committee now to so communicate with the Secretary.

Mr. MORSE. The committee report requests the Department of Agriculture to use the right of eminent domain when it cannot get to timber which needs immediate harvesting in order to prevent loss. Does the Senator from Tennessee intend that the right of eminent domain shall be applied only to farmers and small landowners, or does he think it should be applied to everyone equally?

Mr. GORE. I think that question must answer itself. I should like to comment, however, that at our hearings there was some reluctance on the part of persons and companies who were beneficiaries of contractual relationships with the Government and beneficiaries of federally constructed roads to give rights-of-way to the Government.

I think eminent domain must be exercised if it becomes necessary, and that it should be no respecter of persons.

Mr. MORSE. Does the Senator from Tennessee share my view that when a large timber company does not want to let the Government cross its land to Government timber, the Government then, in behalf of the people of the country, who are the owners of the timber, should move with deliberate speed to make certain that access is obtained across the holdings of such large timber company?

Mr. GORE. The Government must have access to its property. It should not countenance any unreasonable and undue hindrance.

The Senator from Oregon would be the first to recognize, proclaim, and defend the principle that property cannot be taken from anyone without due process. But in the instance of a beneficiary of access paid for by the Government, I think there is a special moral obligation

to grant over private property access to Government property.

Mr. MORSE. The Senator's answer is completely satisfactory. I have raised the question because, over the years, I have received a good many complaints from people in Oregon that some operators who have large tracts of land, behind which is located Government land, are very reluctant to negotiate any right-of-way agreements, and use every dilatory tactic they can in order to postpone the day when the Government will exercise its legal rights. Of course, the longer the Government land can be kept bottled up, the more it is to the advantage of the private owners, in some circumstances.

I wanted to raise this point tonight because of the excellent work which has been done on the highway bill. I think the machinery and procedures are now available to enable the Government to go ahead and do a better job, scientifically, of farming the forests belonging to all the people of the Nation.

But there is the problem sometimes of getting access to the forests over the holdings of large and powerful companies, and I wanted the record to show that it is recognized by the Senator from Tennessee that the Government does have, as the Senator has just put it, the moral obligation to make certain that Government interests are protected by eminent domain, if necessary, against the big fellows as well as against the little fellows.

Mr. GORE. If the Government shows a determination to exercise the power and right of eminent domain, it may not be necessary to use it.

Mr. MORSE. Usually when the Government makes it clear that it intends to do so, it can negotiate a right-of-way in most instances.

Does not the Senator from Tennessee feel that when the Government wants to put an access road across a farm or a ranch of 40 or 160 acres, it should be very considerate because of the effect the road might have on the small owner? Therefore, would the Senator say that where a large timber company is involved, a Government timber access road could not be said to depreciate or hurt the property, such as in the case of a small operator, but that in the case of a large holding, very often it would enhance the value of the large holding?

Mr. GORE. The question is a little difficult to answer. I am sure that in the vast expanse of territory, under various circumstances, there would be instances in which both the small and the large holdings might be helped by Government right-of-way construction. Generally speaking, the Government should exercise the greatest prudence and caution in the use of the power of eminent domain.

Mr. MORSE. I am glad the Senator made that statement. I share his view. I want the RECORD to be very clear concerning the position of the senior Senator from Oregon in the matter. I think that when the Government is dealing with small pieces of property, it should certainly exercise the right of eminent domain; but every effort should be made

to locate the road so that it will do a minimum of damage, so far as devaluating the land of the small operator is concerned.

In the case of a large holder, I think, likewise, that the Government has a moral duty to locate the road so that it will do the least amount of damage to the operator, as well.

We should seek, however, under the policies which are established by the bill, to place the roads in positions where they will best serve the economic interests of the taxpayers as a whole, and will, at the same time, do the least amount of damage, commensurate with the public good, to the property of the landowners.

Mr. GORE. I agree thoroughly with the view of the Senator that in the exercise of governmental rights in this regard, as in others, not only must the Government proceed with a determination to preserve the rights of the Government itself, but must also deal justly with its citizens.

Mr. MORSE. I close my questioning of the Senator from Tennessee and also my comments with this observation: Once again I commend the Senator from Tennessee [Mr. GORE] for the great work he has done on the bill. It was not so long ago—a year or so ago—that I stood in the Senate and commended the Senator from Tennessee for another great job of legislation which he did in connection with the first Gore bill. I think he has duplicated his efforts in connection with the bill now before the Senate and has made a record that will redound to his great credit.

Furthermore, I think he has been very fair and very wise in his acceptance of various amendments offered from time to time with respect to forest roads, amendments which have served to strengthen the bill. The amendments also have served to organize great support behind the bill.

I compliment the Senator also because the bill is a partial recession-cure bill. I do not know of any piece of proposed legislation considered by the Committee on Public Works which will make itself felt more quickly as a recession check than will the road bill. I think, if for no other reason, the bill is worthy of the overwhelming support of the Senate.

I sincerely hope, and I now make a plea to the President, that President Eisenhower will make certain that he, too, will give support to the bill and will accept it as a measure which Congress thinks the emergency calls for by way of the accelerating provisions it contains.

I think this is an opportunity for the administration to demonstrate to the people of the Nation that the leaders of both parties can transcend partisanship when a question of an emergency confronts the national welfare. When people are hungry, out of work, and disturbed legislation of this type is needed. I am appreciative that the Senate has such leadership as that given by the Senator from Tennessee in connection with a bill such as this. I join in the hope that the bill will receive expeditious consideration.



### ORDER FOR ADJOURNMENT TO NOON TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

### UNFAIR PRACTICES IN THE MEAT- PACKING INDUSTRY

Mr. KEFAUVER. Mr. President, by unanimous consent, the Senate has referred S. 1356 to the Committees on Agriculture and Judiciary, with instructions that the bill be reported back with recommendations no later than Monday, April 21, 1958. I understand that Senator O'MAHONEY and Senator WATKINS, the sponsors of this bill which was reported from the Judiciary Committee, consented to this agreement in fairness to Members of the Senate who were not present but who wished to be heard on this bill, and also for the reason that the original Packers and Stockyards Act of 1921 was reported out by the Senate Committee on Agriculture and Forestry. I feel confident that when the members of these two committees have had an opportunity to consider this measure in greater detail, the members of the Agriculture Committee will be satisfied that S. 1356 with the Young-Carroll amendment will restore effective antitrust enforcement to the meatpacking industry, and will not diminish but will broaden the jurisdiction of the Department of Agriculture over those transactions which it is best equipped to regulate.

I point out to the members of the Agriculture and Forestry Committee that the bill initially reported from the Senate Agriculture and Forestry Committee, and which eventually was enacted into law as the Packers and Stockyards Act of 1921, entrusted the Federal Trade Commission and not the Department of Agriculture with responsibility for enforcement of the act. In subsequent action on the floor of the Senate and in conference, the lobbyists for the large meatpackers were successful in obtaining provisions in the bill which transferred jurisdiction for the enforcement of the act to the Department of Agriculture. In 1921 the Agriculture Committee was willing to permit the Federal Trade Commission to have complete jurisdiction over all matters embraced in the Packers and Stockyards Act. This included transactions covered by title III of the act relating to purchase and sale of livestock at stockyards. S. 1356 with the Young-Carroll amendment does not propose to clothe the Federal Trade Commission with anything like this broad authority. It would simply charge the Federal Trade Commission with responsibility for proceeding against the unfair trade practices of meatpackers in their various merchandising activities. The bill would leave with the Secretary of Agriculture jurisdiction over the multifarious activities relating to transactions in livestock. Moreover, as noted, the Young-Carroll amendment

would broaden the Department of Agriculture's jurisdiction.

Objection has been made to S. 1356 by various farm organizations on the ground that the interest of the grower is not understood by the Federal Trade Commission. They argue that the Federal Trade Commission is consumer oriented and that only the Department of Agriculture can deal properly with the problems of the farmer. In just this manner the meat packers who opposed this bill have deliberately obscured the issues and have attempted to mislead the various farm groups concerning the meaning and the effect of this bill. The bill introduced by Senators O'MAHONEY and WATKINS, and as modified by the Young-Carroll amendment which has been accepted by the sponsors, now divides jurisdiction between Agriculture and FTC in a way which should meet the objections of all farm groups to this bill. The Department of Agriculture has demonstrated its awareness of the problems of the farmer and the rancher in getting their products to the market place. Recognizing the competence of the Department of Agriculture in this area, the Young-Carroll amendment makes clear that all transactions in the live animal will remain under the supervision of the Department of Agriculture. This amendment specifically charges the Department of Agriculture with all responsibility over livestock transactions at country buying points and at auction yards. Furthermore, it broadens the authority of the Secretary of Agriculture under title III of the Packers and Stockyards Act by extending his jurisdiction to all stockyards, irrespective of size. On the other hand, after the live animal has been slaughtered and enters into the various forms in which it moves into the market place for sale to the consumer, the responsibility for preventing restrictive and abusive trade practices would be upon the Federal Trade Commission. For over 40 years the Federal Trade Commission has proved that it is specially qualified to protect the public interest at the wholesaling and retailing level. The problems faced in the wholesaling and retailing of meat and meat food products are no different than those which exist in the vast variety of commodities over which the Commission is now effectively exercising supervision.

Senator O'MAHONEY and Senator WATKINS have already pointed out that the record of the hearings on this bill conclusively demonstrates the failure of the Agriculture Department in regulating merchandising activities of the meatpackers. The Department of Agriculture has neither the experience, the personnel, or the know-how to cope with the problems of discriminatory pricing, false and misleading advertising, market sharing, mergers and acquisitions, and other monopolistic practices.

In the enforcement of the Federal Trade Commission, the Clayton and Robinson-Patman Acts, the Commission has developed a well-defined method of proceeding, and from the complaints filed over the years has evolved a comprehensive body of meaningful law.

All persons subject to the provisions of these laws have ample precedent to determine what their rights are in specific cases. On the other hand, the unfair trade-practice provisions of the Packers and Stockyards Act are in very broad, vague, and uncertain language. Since Agriculture has not seen fit to enforce this act, there are no litigated cases which afford parties any aid in determining the meaning of the provisions of title II of the Packers and Stockyards Act. Persons subject to the act have no reliable definition of what is prohibited and what is permitted. They have no way to ascertain their rights. Nor has the enforcing agency any well-defined standards to aid it in instituting proceedings under the act.

The crucial issue in this bill is who shall have jurisdiction to police the merchandising activities of meatpackers. S. 1356 places this responsibility squarely upon the Federal Trade Commission and leaves not the slightest doubt as to the agency who shall enforce, the statutes which shall apply, the meaning of such statutes, and the persons and companies subject to such statutes. The amendment sponsored by the junior Senator from Illinois [Mr. DIRKSEN] adopts the position sponsored by the American Meat Institute, the lobbyist for the big meatpackers. While this amendment concedes certain obvious weaknesses in the Packers and Stockyards Act, and thereby acknowledges the failure of the Department of Agriculture over the years to enforce the act against meatpackers, this amendment perpetuates the basic mistake of permitting meatpackers to take refuge under the protective umbrella of Department of Agriculture non-enforcement.

The history of the regulated industries has shown that the industry being regulated has frequently taken over or dominated the regulating agencies. There are many reasons why these agencies have not been able to maintain their independence. In the case of the Department of Agriculture, it is particularly difficult if not impossible to achieve independence in regulating meatpackers because other operational functions of the Department are dependent upon the cooperation and assistance of meatpackers. For example, the Department is dependent upon accurate information from meatpackers which is incorporated in the market news service furnished daily by the Department to farmers and ranchers. In the animal disease eradication program of the Department, the experience developed in packer laboratories is often correlated with departmental work in ascertaining the existence and extent of contagious diseases of livestock.

A prosecuting function, more than any other, requires complete independence. The dilemma confronting the Department of Agriculture is obvious. On the one hand it must determine whether it shall publicly attack certain practices of the meatpackers, while at the same time it is earnestly imploring these same packers to furnish assistance for other departmental programs.









# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued March 28, 1958  
For actions of March 27, 1958  
85th-2d, No. 50

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HIGHLIGHTS: Senate passed road authorization bill. Senate majority policy committee urges President to sign measure to freeze price supports and acreage allotments. House passed: Independent offices appropriation bill. Labor-HEW appropriation bill. House agreed to conference report to permit soil bank payments to certain producers who exceeded corn acreage allotments.

## HOUSE

1. APPROPRIATIONS. Passed without amendment H. R. 11574, the independent offices appropriations bill for 1959 (pp. 4989-95). Rejected, 49 to 85, an amendment by Rep. Ostertag to increase the GSA general supply fund by \$15 million (pp. 4989-90). Rejected an amendment by Rep. Porter to earmark \$40 million of the National Science Foundation appropriation for basic research in colleges (pp. 4994-5).

Passed with amendment H. R. 11645, the Labor and Health, Education, and Welfare Departments appropriation bill for 1959 (pp. 4995-5019). The bill was amended by deleting three sections on which points of order were sustained, including a proposed requirement that the U. S. be reimbursed for expenses under the Mexican farm labor program (pp. 5018-19). Rep. Sullivan recommended a larger amount for the Food and Drug Administration (pp. 5004-7). Rep. Laird criticized the Budget Bureau and certain budgetary actions (pp. 5008-9). Rep. Marshall criticized the reduction in Labor apprenticeship and training programs, especially as "The present policy of the Department of Agriculture seems to be to improve the per capita income position of farmers by encouraging them to take advantage of non-farm income," and trained workers are preferred (p. 5016).

Agreed to allow the Appropriations Committee until midnight Fri., Mar. 28, to report the agricultural appropriation bill. p. 4988

Agreed to allow the Appropriations Committee until midnight Fri., Mar. 28, to report a joint resolution providing for advance procurement of supplies and equipment by Government agencies, to accelerate Federal expenditure programs. p. 4995

2. CORN. Adopted the conference report, as agreed to by the Senate, on H. R. 10843, to permit soil bank payments to certain corn producers in the commercial area who exceeded their corn acreage allotments. This bill will now be sent to the President. p. 4989
3. WEATHER CONTROL. The Interstate and Foreign Commerce Committee ordered reported with amendment S. 86, to authorize research in cloud modification. p. D269
4. EASTER RECESS. Both Houses adopted without amendment H. Con. Res. 303, to provide for an adjournment of both Houses from April 3 to April 14. pp. 4988, 4934

#### SENATE

5. ROADS. Passed, 84 to 4, with amendments H. R. 9821, the road authorization bill after substituting the language of similar bill S. 3414, as amended. S. 3414 was indefinitely postponed. pp. 4935, 4939-41, 4949-72

Rejected an amendment by Sen. Mansfield which would have authorized the waiving of all matching requirements for Federal funds allocated under the Federal Highway Act for a period of 1 year, with a \$15 million maximum on primary and secondary systems, a \$20 million maximum on the Interstate System (pp. 4939-41); and an amendment by Sen. Case to strike out the provisions of the bill providing for a 70-30 matching formula (for the extra \$4000 million for primary and secondary roads) in States with large areas of public lands (pp. 4965-68).

Agreed to an amendment by Sen. Case to require a certification by the States upon submission of plans for Interstate System projects that public hearings have been held in rural areas to enable persons whose property will be affected by the highways to express any objections to the proposed location of the highway. pp. 4941-50

Conferees were appointed on the bill. p. 4971

6. EMERGENCY FEED; BROOMCORN. Sen. Kerr inserted resolutions from the agriculture committee of the Okla. State Legislative Council objecting to this Department rechecking all applicants approved for emergency feed relief during 1956 and 1957 for the purpose of redetermining eligibility of the applicants, and favoring an increase in tariff on the importation of broomcorn. p. 4920
7. PRICE SUPPORTS. Sen. Humphrey inserted a letter and ~~article~~ urging the President to sign the resolution to freeze acreage allotments and price supports, and an article stating that this Department is preparing "to make heavier than normal purchase of dairy products between now and April 1, when new and lower price supports go into effect." pp. 4944-45  
Sens. Thye and Proxmire inserted telegrams received opposing a reduction in the price supports for dairy products, and urging that the President sign the resolution which would freeze such price supports. pp. 4929, 4932
8. ATOMIC ENERGY. Sen. Anderson inserted the speech of Rep. Durham, chairman of the Jt. Atomic Energy Committee, "Current Problems in the Atomic Power Development," including a discussion of the civilian atomic-power program. pp. 4925-27



85TH CONGRESS  
2D SESSION

# H. R. 9821

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IN THE SENATE OF THE UNITED STATES

MARCH 27, 1958

Ordered to be printed with the amendments of the Senate

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## AN ACT

To amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3                                ~~FEDERAL-AID HIGHWAYS~~

4        SECTION 1. ~~(a) (1) AUTHORIZATION OF APPROPRIA-~~  
5        ~~TIONS.—~~For the purpose of carrying out the provisions of  
6        the Federal-Aid Road Act approved July 11, 1916 (39  
7        Stat. 355), and all Acts amendatory thereof and supple-  
8        mentary thereto, there is hereby authorized to be appro-  
9        priated the sum of \$900,000,000 for the fiscal year ending  
10       June 30, 1960; and the sum of \$925,000,000 for the fiscal

1 year ending June 30, 1961. The sums herein authorized  
 2 for each fiscal year shall be available for expenditure as  
 3 follows:

4 ~~(A)~~ 45 per centum for projects on the Federal-aid  
 5 primary highway system.

6 ~~(B)~~ 30 per centum for projects on the Federal-aid  
 7 secondary highway system.

8 ~~(C)~~ 25 per centum for projects on extensions of these  
 9 systems within urban areas.

10 ~~(2)~~ APPORTIONMENTS.—The sums authorized by this  
 11 section shall be apportioned among the several States in the  
 12 manner now provided by law and in accordance with the  
 13 formulas set forth in section 4 of the Federal-Aid Highway  
 14 Act of 1944, approved December 20 1944 (58 Stat. 838).

15 ~~(b)~~ AVAILABILITY FOR EXPENDITURE.—Any sums  
 16 apportioned to any State under this section shall be available  
 17 for expenditure in that State for two years after the close of  
 18 the fiscal year for which such sums are authorized, and any  
 19 amounts so apportioned remaining unexpended at the end of  
 20 such period shall lapse: *Provided*, That such funds shall be  
 21 deemed to have been expended if a sum equal to the total  
 22 of the sums herein and heretofore apportioned to the State  
 23 is covered by formal agreements with the Secretary of Com-  
 24 merce for construction, reconstruction, or improvement of  
 25 specific projects as provided in this title and prior Acts:



1 *Provided further,* That in the case of those sums heretofore,  
2 herein, or hereafter apportioned to any State for projects  
3 on the Federal-aid secondary highway system, the Secretary  
4 of Commerce may, upon the request of any State, discharge  
5 his responsibility relative to the plans, specifications, esti-  
6 mates, surveys, contract awards, design, inspection, and con-  
7 struction of such secondary road projects by his receiving  
8 and approving a certified statement by the State highway  
9 department setting forth that the plans, design, and construc-  
10 tion for such projects are in accord with the standards and  
11 procedures of such State applicable to projects in this cate-  
12 gory approved by him: *Provided further,* That such ap-  
13 proval shall not be given unless such standards and proce-  
14 dures are in accordance with the objectives set forth in sec-  
15 tion 4 (b) of the Federal-Aid Highway Act of 1950:  
16 *And provided further,* That nothing contained in the fore-  
17 going provisos shall be construed to relieve any State of its  
18 obligation now provided by law relative to maintenance,  
19 nor to relieve the Secretary of Commerce of his obligation  
20 with respect to the selection of the secondary system or the  
21 location of projects thereon, to make a final inspection after  
22 construction of each project, and to require an adequate  
23 showing of the estimated and actual cost of construction of  
24 each project. Any Federal-aid primary, secondary, or urban  
25 funds released by the payment of the final voucher or by

1 modification of the formal project agreement shall be credited  
2 to the same class of funds, primary, secondary, or urban,  
3 previously apportioned to the State and be immediately  
4 available for expenditure.

5 FOREST HIGHWAYS AND FOREST DEVELOPMENT ROADS  
6 AND TRAILS

7 SEC. 2. (a) AUTHORIZATION OF APPROPRIATIONS.—

8 For the purpose of carrying out the provisions of section 23  
9 of the Federal Highway Act of 1921 (42 Stat. 218), as  
10 amended and supplemented, there is hereby authorized to  
11 be appropriated (1) for forest highways the sum of \$30,  
12 000,000 for the fiscal year ending June 30, 1960, and a  
13 like sum for the fiscal year ending June 30, 1961; and  
14 (2) for forest development roads and trails the sum of  
15 \$28,500,000 for the fiscal year ending June 30, 1960, and  
16 a like sum for the fiscal year ending June 30, 1961:  
17 *Provided*, That with respect to any proposed construction  
18 or reconstruction of a timber access road, advisory public  
19 hearings shall be held at a place convenient or adjacent to  
20 the area of construction or reconstruction with notice and  
21 reasonable opportunity for interested persons to present their  
22 views as to the practicability and feasibility of such con-  
23 struction or reconstruction: *Provided further*, That hereafter  
24 funds available for forest highways and forest development



1 roads and trails shall also be available for adjacent vehicular  
 2 parking areas and for sanitary, water, and fire control  
 3 facilities: *And provided further,* That the appropriation  
 4 herein authorized for forest highways shall be apportioned  
 5 by the Secretary of Commerce for expenditure in the several  
 6 States, Alaska, and Puerto Rico in accordance with the  
 7 provisions of section 3 of the Federal Aid Highway Act  
 8 of 1950.

9 ROADS AND TRAILS IN NATIONAL PARKS, AND SO FORTH

10 SEC. 3. (a) NATIONAL PARKS, AND SO FORTH.—For  
 11 the construction, reconstruction, and improvement of roads  
 12 and trails, inclusive of necessary bridges, in national parks,  
 13 monuments, and other areas administered by the National  
 14 Park Service, including areas authorized to be established as  
 15 national parks and monuments, and national park and monu-  
 16 ment approach roads authorized by the Act of January 31,  
 17 1931 (46 Stat. 1053), as amended, there is hereby author-  
 18 ized to be appropriated the sum of \$16,000,000 for the fiscal  
 19 year ending June 30, 1960, and a like sum for the fiscal  
 20 year ending June 30, 1961.

21 (b) PARKWAYS.—For the construction, reconstruction,  
 22 and improvement of parkways, authorized by Acts of Con-  
 23 gress, on lands to which title is vested in the United States,  
 24 there is hereby authorized to be appropriated the sum of

1 \$16,000,000 for the fiscal year ending June 30, 1960, and  
 2 a like sum for the fiscal year ending June 30, 1961.

3 (c) INDIAN RESERVATIONS AND LANDS.—For the  
 4 construction, improvement, and maintenance of Indian reser-  
 5 vation roads and bridges and roads and bridges to provide  
 6 access to Indian reservations and Indian lands under the  
 7 provisions of the Act approved May 26, 1928 (45 Stat.  
 8 750), there is hereby authorized to be appropriated the sum  
 9 of \$12,000,000 for the fiscal year ending June 30, 1960, and  
 10 a like sum for the fiscal year ending June 30, 1961: *Pro-*  
 11 *vided*, That the location, type and design of all roads and  
 12 bridges constructed shall be approved by the Secretary of  
 13 Commerce before any expenditures are made thereon, and  
 14 all such construction shall be under the general supervision  
 15 of the Secretary of Commerce.

#### 16 PUBLIC LANDS HIGHWAYS

17 SEC. 4. For the purpose of carrying out the provisions  
 18 of section 10 of the Federal Aid Highway Act of 1950  
 19 (64 Stat. 785), there is hereby authorized to be appro-  
 20 priated for the survey, construction, reconstruction, and  
 21 maintenance of main roads through unappropriated or unre-  
 22 served public lands, nontaxable Indian lands, or other Fed-  
 23 eral reservations the sum of \$2,000,000 for the fiscal year  
 24 ending June 30, 1960, and a like sum for the fiscal year  
 25 ending June 30, 1961.



1 SPECIAL PROVISIONS FOR FEDERAL DOMAIN ROADS, AND  
2 SO FORTH

3 SEC. 5. Any funds authorized herein for forest high-  
4 ways, forest development roads and trails, park roads and  
5 trails, parkways, Indian roads, and public lands highways  
6 shall be available for contract upon apportionment, or a date  
7 not earlier than one year preceding the beginning of the  
8 fiscal year for which authorized if no apportionment is re-  
9 quired: *Provided*, That any amount remaining unexpended  
10 two years after the close of the fiscal year for which author-  
11 ized shall lapse. The Secretary of the department charged  
12 with the administration of such funds is hereby granted au-  
13 thority to incur obligations, approve projects, and enter into  
14 contracts under such authorizations, and his action in doing  
15 so shall be deemed a contractual obligation of the Federal  
16 Government for the payment of the cost thereof, and such  
17 funds shall be deemed to have been expended when so obli-  
18 gated. Any funds heretofore, herein, or hereafter author-  
19 ized for any fiscal year for forest highways, forest develop-  
20 ment roads and trails, park roads and trails, parkways, Indian  
21 roads, and public lands highways shall be deemed to have  
22 been expended if a sum equal to the total of the sums author-  
23 ized for such fiscal year and previous fiscal years since and  
24 including the fiscal year ending June 30, 1955, shall have  
25 been obligated. Any of such funds released by payment of

1 final voucher or modification of project authorization shall  
 2 be credited to the balance of unobligated authorizations and  
 3 be immediately available for expenditure.

4 RELATIONSHIP OF THIS ACT TO OTHER ACTS; EFFECTIVE  
 5 DATE

6 SEC. 6. All provisions of the Federal-Aid Road Act  
 7 approved July 11, 1916, together with all Acts amendatory  
 8 thereof or supplementary thereto, not inconsistent with this  
 9 Act, shall remain in full force and effect and be applicable  
 10 hereto. All Acts or parts of Acts in any way inconsistent  
 11 with the provisions of this Act are hereby repealed. This  
 12 Act shall take effect on the date of enactment.

13 SHORT TITLE

14 SEC. 7. This Act may be cited as the "Federal Highway  
 15 Act of 1958".

16 SEC. 1. FEDERAL-AID HIGHWAYS.

17 (a) (1) AUTHORIZATION OF APPROPRIATIONS.—For  
 18 the purpose of carrying out the provisions of the Federal-Aid  
 19 Road Act approved July 11, 1916 (39 Stat. 355), and all  
 20 Acts amendatory thereof and supplementary thereto, there  
 21 is hereby authorized to be appropriated the sum of \$900,000,-  
 22 000 for the fiscal year ending June 30, 1960; and the sum  
 23 of \$900,000,000 for the fiscal year ending June 30, 1961.  
 24 The sums herein authorized for each fiscal year shall be  
 25 available for expenditure as follows:



1           (A) 45 per centum for projects on the Federal-  
2       aid primary highway system.

3           (B) 30 per centum for projects on the Federal-  
4       aid secondary highway system.

5           (C) 25 per centum for projects on extensions of  
6       these systems within urban areas.

7       (2) APPORTIONMENTS.—The sums authorized by this  
8       section shall be apportioned among the several States in the  
9       manner now provided by law and in accordance with the  
10      formulas set forth in section 4 of the Federal-Aid Highway  
11      Act of 1944, approved December 20, 1944 (58 Stat. 838).

12      (b) AVAILABILITY FOR EXPENDITURE.—Any sums  
13      apportioned to any State under this section shall be available  
14      for expenditure in that State for two years after the close  
15      of the fiscal year for which such sums are authorized, and  
16      any amounts so apportioned remaining unexpended at the  
17      end of such period shall lapse: Provided, That such funds  
18      shall be deemed to have been expended if a sum equal to  
19      the total of the sums herein and heretofore apportioned to  
20      the State is covered by formal agreements with the Secretary  
21      of Commerce for construction, reconstruction, or improve-  
22      ments of specific projects as provided in this Act and  
23      prior Acts: Provided further, That in the case of those sums  
24      heretofore, herein, or hereafter apportioned to any State for

1 projects on the Federal-aid secondary highway system, the  
2 Secretary of Commerce may, upon the request of any State,  
3 discharge his responsibility relative to the plans, specifica-  
4 tions, estimates, surveys, contract awards, design, inspec-  
5 tion, and construction of such secondary road projects by  
6 his receiving and approving a certified statement by the  
7 State highway department setting forth that the plans,  
8 design, and construction for such projects are in accord with  
9 the standards and procedures of such State applicable to  
10 projects in this category approved by him: Provided further,  
11 That such approval shall not be given unless such standards  
12 and procedures are in accordance with the objectives set  
13 forth in section 1 (b) of the Federal-Aid Highway Act of  
14 1950: And provided further, That nothing contained in the  
15 foregoing provisos shall be construed to relieve any State  
16 of its obligation now provided by law relative to mainte-  
17 nance, nor to relieve the Secretary of Commerce of his obli-  
18 gation with respect to the selection of the secondary system  
19 or the location of projects thereon, to make a final inspection  
20 after construction of each project, and to require an adequate  
21 showing of the estimated and actual cost of construction  
22 of each project. Any Federal-aid primary, secondary, or  
23 urban funds released by the payment of the final voucher  
24 or by modification of the formal project agreement shall be  
25 credited to the same class of funds, primary, secondary, or



1 urban, previously apportioned to the State and be immedi-  
2 ately available for expenditure.

3 SEC. 2. (a) ADDITIONAL AUTHORIZATION OF AP-  
4 PROPRIATION OF FEDERAL-AID PRIMARY, SECONDARY,  
5 AND URBAN FUNDS.—For the purpose of carrying out the  
6 provisions of the Federal-Aid Road Act approved July 11,  
7 1916 (39 Stat. 355), and all Acts amendatory thereof and  
8 supplementary thereto, there is hereby authorized to be appro-  
9 priated for the fiscal year ending June 30, 1959, \$400,000,-  
10 000 in addition to any sums heretofore authorized for such  
11 fiscal year. The sum herein authorized shall be apportioned:  
12 (A) 45 per centum for projects on the Federal-aid primary  
13 highway system, (B) 30 per centum for projects on the  
14 Federal-aid secondary highway system, (C) 25 per centum  
15 for projects on extensions of these systems within urban areas  
16 among the several States immediately upon enactment of  
17 this Act in the manner now provided by law and in accord-  
18 ance with the formulas set forth in section 4 of the Federal  
19 Aid Highway Act of 1944, approved December 20, 1944  
20 (58 Stat. 838).

21 (b) The amounts authorized to be appropriated in sec-  
22 tion 2 (a) herein shall be available for expenditure pur-  
23 suant to contracts awarded by the State highway depart-  
24 ments prior to December 1, 1958; which shall provide for  
25 completion of construction prior to December 1, 1959, sub-

1   ject to delays caused by circumstances and conditions beyond  
2   the control of, and without the fault of any contractor on such  
3   contracts, and delays created by acts of God. Any amounts  
4   apportioned to a State under provisions of this section re-  
5   maining unexpended as above provided on December 1, 1958,  
6   shall lapse.

7       (c) The sums apportioned under this section shall be  
8   available for expenditure for projects on the primary or  
9   secondary Federal-aid systems, including extensions of these  
10   systems within urban areas, without limitation as to the  
11   percentage to be utilized on any system.

12       (d) The Federal share payable on account of any proj-  
13   ect provided for by funds made available under the provisions  
14   of this section shall be increased to 70 per centum of the  
15   total cost thereof plus, in any State containing unappro-  
16   priated and unreserved public lands and nontaxable Indian  
17   lands, individual and tribal, exceeding 5 per centum of the  
18   total area of all lands therein, a percentage of the remaining  
19   30 per centum of such cost equal to the percentage that the  
20   area of such lands in such State is of its total area: Provided,  
21   That such Federal share payable on any project in any State  
22   shall not exceed 95 per centum of the total cost of such  
23   project.

24       (e) AUTHORIZATION OF APPROPRIATION FOR IN-  
25   CREASING FEDERAL SHARE.—For the purpose of assisting



1 any State in meeting the requirements for State funds to  
2 match any sums apportioned to such State under the provi-  
3 sions of this section, there is hereby authorized to be appro-  
4 priated the sum of \$115,000,000, which sum may be used  
5 by the Secretary of Commerce upon the request of any State  
6 to increase the Federal share payable on account of any  
7 project provided for by funds made available under the  
8 provisions of this section: Provided, That the amount of such  
9 increase of the Federal share shall not exceed two-thirds of  
10 the State's share of the cost of such project.

11 (f) REIMBURSEMENT.—The total amount of such in-  
12 creases in the Federal share as are made pursuant to sub-  
13 section (e) above, shall be reimbursed to the Federal Govern-  
14 ment by making deductions of sums equal to the amounts  
15 expended for projects on the Federal-aid primary highway  
16 system, the Federal-aid secondary highway system and exten-  
17 sions of such systems in urban areas in two equal amounts  
18 from the amounts available to such State for expenditure on  
19 such highways under any apportionment of funds authorized  
20 to be appropriated therefor for the fiscal years ending  
21 June 30, 1961 and June 30, 1962.

22 (g) CONTRACT AUTHORITY.—Approval by the Secre-  
23 tary of Commerce of any project on account of which the  
24 Federal share is increased under the provisions of this sec-

1 tion shall be deemed a contractual obligation of the Federal  
2 Government for the payment of such increase in the Federal  
3 share, and such funds shall be deemed to have been expended  
4 when so obligated.

5 (h) It is hereby declared to be the intent of the Con-  
6 gress that the sum authorized under this section shall be  
7 supplementary to, and not in lieu of, any other sum hereto-  
8 fore or herein authorized for expenditure on the Federal-  
9 aid primary or secondary systems, including extensions of  
10 these systems within urban areas, and is made available for  
11 the purpose of immediate acceleration of the rate of highway  
12 construction on these systems beyond that being accomplished  
13 with funds otherwise authorized.

14 SEC. 3. FOREST HIGHWAYS AND FOREST DEVELOPMENT  
15 ROADS AND TRAILS.

16 (a) AUTHORIZATION OF APPROPRIATIONS.—For the  
17 purpose of carrying out the provisions of section 23 of the  
18 Federal Highway Act of 1921 (42 Stat. 218), as amended  
19 and supplemented, there is hereby authorized to be appro-  
20 priated (1) for forest highways the additional sum of  
21 \$10,000,000 for the fiscal year ending June 30, 1959, and  
22 the sum of \$36,000,000 for each of the fiscal years ending  
23 June 30, 1960, and June 30, 1961; and (2) for forest  
24 development roads and trails the additional sum of \$13,000,-  
25 000 for the fiscal year ending June 30, 1959, and the sum



1 of \$34,000,000 for each of the fiscal years ending June 30,  
2 1960, and June 30, 1961: Provided, That, with respect to  
3 any proposed construction or reconstruction of a timber  
4 access road, advisory public hearings may be held at a place  
5 convenient or adjacent to the area of construction or reconstruc-  
6 tion with notice and reasonable opportunity for interested  
7 persons to present their views as to the practicability and  
8 feasibility of such construction or reconstruction: Provided  
9 further, That hereafter funds available for forest highways  
10 and forest development roads and trails shall also be avail-  
11 able for adjacent vehicular parking areas and for sanitary,  
12 water, and fire control facilities: Provided further, That the  
13 same percentage of the amounts authorized under this sub-  
14 section for forest highways for each of the fiscal years ending  
15 June 30, 1959, June 30, 1960, and June 30, 1961, shall be  
16 apportioned for expenditure in each State, Alaska, or Puerto  
17 Rico as was apportioned for expenditure in each State,  
18 Alaska, or Puerto Rico from funds authorized under this  
19 subsection for forest highways for the fiscal year ending June  
20 30, 1958: And provided further, That any State may trans-  
21 fer not to exceed the lesser of \$500,000 or 5 per centum of the  
22 amounts apportioned to such State under section 1 hereof to  
23 augment any apportionment made to such State for the con-  
24 struction, reconstruction, or improvement of forest highways  
25 pursuant to this section; and when so transferred such sums

1 may be expended in the same manner as funds authorized by  
2 this section for such purposes.

3 (b) The Secretary of Commerce, in cooperation with  
4 the appropriate officers of each State containing a national  
5 forest, the Commonwealth of Puerto Rico, and the Territory  
6 of Alaska, shall make a study to determine—

7 (1) the forest roads of primary importance to a  
8 State, county, or community which are within, adjoin-  
9 ing, or adjacent to a national forest and have not been  
10 designated as forest highways;

11 (2) the amount necessary to complete construc-  
12 tion of all forest highways;

13 (3) the amounts necessary for the fiscal year  
14 ending June 30, 1962, and for each of the nine suc-  
15 ceeding fiscal years to survey, construct, reconstruct,  
16 and maintain (A) forest highways, and (B) roads  
17 described in paragraph (1) of this subsection if such  
18 roads were forest highways; and

19 (4) the method by which the amounts determined  
20 pursuant to paragraph (3) of this subsection should be  
21 apportioned for expenditure in the several States,  
22 Alaska, and Puerto Rico.

23 The Secretary of Commerce shall report the results of such  
24 study to the President and the Congress on or before  
25 January 1, 1960.



1 SEC. 4. ROADS AND TRAILS IN NATIONAL PARKS, ETC.

2 (a) NATIONAL PARKS, ETC.—For the construction,  
3 reconstruction, and improvement of roads and trails, inclusive  
4 of necessary bridges, in national parks, monuments, and other  
5 areas administered by the National Park Service, including  
6 areas authorized to be established as national parks and  
7 monuments, and national park and monument approach  
8 roads authorized by the Act of January 31, 1931 (46 Stat.  
9 1053), as amended, there is hereby authorized to be appro-  
10 priated the sum of \$20,000,000 for the fiscal year ending  
11 June 30, 1960, and a like sum for the fiscal year ending  
12 June 30, 1961.

13 (b) PARKWAYS.—For the construction, reconstruction,  
14 and improvement of parkways, authorized by Acts of Con-  
15 gress, on lands to which title is vested in the United States,  
16 there is hereby authorized to be appropriated the sum of  
17 \$16,000,000 for the fiscal year ending June 30, 1960, and  
18 a like sum for the fiscal year ending June 30, 1961.

19 (c) INDIAN RESERVATIONS AND LANDS.—For the  
20 construction, reconstruction, and improvement of Indian  
21 reservation roads and bridges and roads and bridges to pro-  
22 vide access to Indian reservations and Indian lands under  
23 the provisions of the Act approved May 26, 1928 (45 Stat.  
24 750), there is hereby authorized to be appropriated the  
25 sum of \$12,000,000 for the fiscal year ending June 30, 1960,

1 *and a like sum for the fiscal year ending June 30, 1961:*  
2 *Provided, That the location, type, and design of all roads*  
3 *and bridges constructed shall be approved by the Secretary*  
4 *of Commerce before any expenditures are made thereon, and*  
5 *all such construction shall be under the general supervision*  
6 *of the Secretary of Commerce.*

7 **SEC. 5. PUBLIC LANDS HIGHWAYS.**

8 *For the purpose of carrying out the provisions of section*  
9 *10 of the Federal-Aid Highway Act of 1950 (64 Stat. 785),*  
10 *there is hereby authorized to be appropriated for the survey,*  
11 *construction, reconstruction, and maintenance of main roads*  
12 *through unappropriated or unreserved public lands, non-*  
13 *taxable Indian lands, or other Federal reservations the addi-*  
14 *tional sum of \$2,000,000 for the fiscal year ending June 30,*  
15 *1959, and the sum of \$4,000,000 for each of the fiscal years*  
16 *ending June 30, 1960, and June 30, 1961.*

17 **SEC. 6. SPECIAL PROVISIONS FOR FEDERAL DOMAIN ROADS,**  
18 **ETC.**

19 *Any funds authorized herein for forest highways, forest*  
20 *development roads and trails, park roads and trails, park-*  
21 *ways, Indian roads, and public lands highways shall be*  
22 *available for contract upon apportionment, or a date not*  
23 *earlier than one year preceding the beginning of the fiscal*  
24 *year for which authorized if no apportionment is required:*  
25 *Provided, That any amount remaining unexpended two*



1 years after the close of the fiscal year for which authorized  
2 shall lapse. The Secretary of the department charged with  
3 the administration of such funds is hereby granted authority  
4 to incur obligations, approve projects, and enter in con-  
5 tracts under such authorizations, and his action in doing so  
6 shall be deemed a contractual obligation of the Federal  
7 Government for the payment of the cost thereof, and such  
8 funds shall be deemed to have been expended when so  
9 obligated. Any funds heretofore, herein, or hereafter au-  
10 thorized for any fiscal year for forest highways, forest de-  
11 velopment roads and trails, park roads and trails, parkways,  
12 Indian roads, and public lands highways shall be deemed to  
13 have been expended if a sum equal to the total of the sums  
14 authorized for such fiscal year and previous fiscal years since  
15 and including the fiscal year ending June 30, 1955, shall  
16 have been obligated. Any of such funds released by pay-  
17 ment of final voucher or modification of project authorization  
18 shall be credited to the balance of unobligated authorizations  
19 and be immediately available for expenditure.

20 SEC. 7. (a) AUTHORIZATION OF APPROPRIATIONS  
21 FOR INTERSTATE SYSTEM.—Section 108 (b) of the Federal-  
22 Aid Highway Act of 1956 (70 Stat. 374) is hereby amended  
23 to read as follows:

24 “(b) AUTHORIZATION OF APPROPRIATIONS.—For the  
25 purpose of expediting the construction, reconstruction, or im-

1    *provement, inclusive of necessary bridges and tunnels, of the*  
2    *Interstate System, including extensions thereof through urban*  
3    *areas, designated in accordance with the provisions of section*  
4    *7 of the Federal-Aid Highway Act of 1944 (58 Stat. 838),*  
5    *there is hereby authorized to be appropriated the additional*  
6    *sum of \$1,000,000,000 for the fiscal year ending June 30,*  
7    *1957, which sum shall be in addition to the authorization*  
8    *heretofore made for that year, the additional sum of*  
9    *\$1,700,000,000 for the fiscal year ending June 30, 1958,*  
10    *the additional sum of \$2,200,000,000 for the fiscal year*  
11    *ending June 30, 1959, the additional sum of \$2,500,000,000*  
12    *for the fiscal year ending June 30, 1960, the additional sum*  
13    *of \$2,500,000,000 for the fiscal year ending June 30, 1961,*  
14    *the additional sum of \$2,200,000,000 for the fiscal year end-*  
15    *ing June 30, 1962, the additional sum of \$2,200,000,000*  
16    *for the fiscal year ending June 30, 1963, the additional sum*  
17    *of \$2,200,000,000 for the fiscal year ending June 30, 1964,*  
18    *the additional sum of \$2,200,000,000 for the fiscal year end-*  
19    *ing June 30, 1965, the additional sum of \$2,200,000,000*  
20    *for the fiscal year ending June 30, 1966, the additional sum*  
21    *of \$2,200,000,000 for the fiscal year ending June 30, 1967,*  
22    *the additional sum of \$1,500,000,000 for the fiscal year end-*  
23    *ing June 30, 1968, and the additional sum of \$1,025,000,-*  
24    *000 for the fiscal year ending June 30, 1969."*

25        (b) *APPORTIONMENTS.—Any portion of this additional*



sum herein authorized for the fiscal year ending June 30, 1959, that has not been apportioned heretofore shall be apportioned immediately upon enactment of this Act.

SEC. 8. APPROVAL OF ESTIMATE OF COST OF COMPLETING  
THE INTERSTATE SYSTEM.

The estimate of cost of completing the Interstate System in each State, transmitted to the Congress on January 7, 1958, by the Secretary of Commerce pursuant to the provisions of section 108 (d) of the Act approved June 29, 1956 (70 Stat. 374), and published as House Document Numbered 300, Eighty-fifth Congress, second session, is hereby approved as the basis for making the apportionment of the funds authorized for the Interstate System for the fiscal year ending June 30, 1960.

SEC. 9. APPORTIONMENT OF FEDERAL-AID HIGHWAY FUNDS FOR FISCAL YEARS 1959 AND 1960.—Notwithstanding the provisions of section 209 (g) of the Act approved June 29, 1956 (70 Stat. 374), the Secretary of Commerce is authorized and directed to apportion among the several States in the manner provided by law, all of the funds authorized for the fiscal years 1959 and 1960, for the Interstate System and the Federal-aid primary and secondary highway systems, including extensions thereof within urban areas.

SEC. 10. The first sentence of the second paragraph of

1 section 13 of the Federal Highway Act, approved November  
 2 9, 1921 (42 Stat. 212), is amended by inserting before the  
 3 period at the end thereof the following: "plus the United  
 4 States pro rata part of the value of the materials which  
 5 have been stockpiled in the vicinity of such construction or  
 6 reconstruction in conformity to said plans and specifications".

7 SEC. 11. (a) Subsection (a) of section 111 of the  
 8 Federal-Aid Highway Act of 1956 is amended to read  
 9 as follows:

10 "(a) AVAILABILITY OF FEDERAL FUNDS FOR REIM-  
 11 BURSEMENT TO STATES.—Subject to the conditions contained  
 12 in this section, whenever a State shall pay for the cost of relo-  
 13 cation of utility facilities necessitated by the construction of a  
 14 project on the Federal-aid primary or secondary systems or  
 15 on the Interstate System, including extensions thereof within  
 16 urban areas, Federal funds may be used to reimburse the  
 17 State for such cost in the same proportion as Federal funds  
 18 are expended on the project: Provided, That Federal funds  
 19 shall not be apportioned to the States under this section when  
 20 the payment to the utility violates the law of the State or  
 21 violates a legal contract between the utility and the State:  
 22 Provided, further, That such reimbursement shall be made  
 23 only after evidence satisfactory to him shall have been pre-  
 24 sented to the Secretary substantiating the fact that the State  
 25 has paid such cost from its own funds."



1       (b) *This section shall apply only with respect to Federal-*  
2 *aid highway projects for which Federal funds are obligated*  
3 *subsequent to the date of enactment of this Act for work,*  
4 *including relocation of utility facilities.*

5       *SEC. 12. The Federal-Aid Highway Act of 1956 (70*  
6 *Stat. 374) is amended by renumbering section 122 as sec-*  
7 *tion 123 and inserting a new section 122, as follows:*

8       “*SEC. 122. AREAS ADJACENT TO THE INTERSTATE SYSTEM.*

9       “(a) *NATIONAL POLICY.—To promote the safety, con-*  
10 *venience, and enjoyment of public travel and the free flow of*  
11 *interstate commerce and to protect the public investment in*  
12 *the National System of Interstate and Defense Highways,*  
13 *it is hereby declared to be in the public interest to encourage*  
14 *and assist the States to control the use of and to improve*  
15 *areas adjacent to the Interstate System by controlling the*  
16 *erection and maintenance of outdoor advertising signs, dis-*  
17 *plays, and devices adjacent to that system. It is hereby*  
18 *declared to be a national policy that the erection and main-*  
19 *tenance of outdoor advertising signs, displays, or devices*  
20 *within six hundred and sixty feet of the edge of the right-of-*  
21 *way and visible from the main-traveled way of all portions*  
22 *of the Interstate System constructed upon any part of right-*  
23 *of-way, the entire width of which is acquired subsequent to*  
24 *July 1, 1956, should be regulated, consistent with national*  
25 *standards to be prepared and promulgated by the Secretary,*

1   *which shall include only the following four types of signs, and*  
2   *no signs advertising illegal activities:*

3       “(1) *Directional or other official signs or notices that*  
4   *are required or authorized by law.*

5       “(2) *Signs advertising the sale or lease of the property*  
6   *upon which they are located.*

7       “(3) *Signs erected or maintained pursuant to authoriza-*  
8   *tion or permitted under State law, and not inconsistent with*  
9   *the national policy and standards of this section, advertising*  
10   *activities being conducted at a location within twelve miles of*  
11   *the point at which such signs are located.*

12       “(4) *Signs erected or maintained pursuant to author-*  
13   *ization in State law and not inconsistent with the national*  
14   *policy and standards of this section, and designed to give*  
15   *information in the specific interest of the traveling public.*

16       “(b) *AGREEMENTS.—The Secretary of Commerce is*  
17   *authorized to enter into agreements with State highway de-*  
18   *partments (including such supplementary agreements as may*  
19   *be necessary) to carry out the national policy set forth in*  
20   *subsection (a) of this section with respect to the Interstate*  
21   *System within the State. Any such agreement shall include*  
22   *provisions for regulation and control of the erection and*  
23   *maintenance of advertising signs, displays, and other adver-*  
24   *tising devices in conformity with the standards established in*  
25   *accordance with subsection (a) and may include, among*



1 other things, provisions for preservation of natural beauty,  
2 prevention of erosion, landscaping, reforestation, develop-  
3 ment of viewpoints for scenic attractions that are accessible  
4 to the public without charge, and the erection of markers,  
5 signs, or plaques, and development of areas in appreciation  
6 of sites of historical significance. Upon application of the  
7 State, any such agreement may, within the discretion of the  
8 Secretary of Commerce, consistent with the national policy,  
9 provide for excluding from application of the national stand-  
10 ards segments of the Interstate System which traverse incor-  
11 porated municipalities wherein the use of real property  
12 adjacent to the Interstate System is subject to municipal regu-  
13 lation or control, or which traverse other areas where the land  
14 use is clearly established by State law as industrial or commer-  
15 cial: Provided, however, That any such segment excluded  
16 from the application of such standards shall not be considered  
17 in computing the increase of the Federal share payable on  
18 account thereof.

19 “(c) *FEDERAL SHARE*.—Notwithstanding the provisions  
20 of section 2 of the Federal-Aid Highway Act of 1944 (58  
21 Stat. 838), if an agreement pursuant to this section has  
22 been entered into with any State prior to July 1, 1961,  
23 the Federal share payable on account of any project on the  
24 Interstate System within that State provided for by funds  
25 authorized under the provisions of section 108 of this Act, to

1    *which the national policy and the agreement apply, shall be*  
2    *increased by one-half of one per centum of the total cost*  
3    *thereof, not including any additional cost that may be in-*  
4    *curred in the carrying out of the agreement: Provided, That*  
5    *the increase in the Federal share which is payable hereunder*  
6    *shall be paid only from appropriations from moneys in the*  
7    *Treasury not otherwise appropriated, which such appropria-*  
8    *tions are hereby authorized.*

9        *“(d) Whenever any portion of the Interstate System*  
10    *is located upon or adjacent to any public lands or reserva-*  
11    *tions of the United States, the Secretary of Commerce may*  
12    *make such arrangements and enter into such agreements*  
13    *with the agency having jurisdiction over such lands or reser-*  
14    *vations as may be necessary to carry out the national policy*  
15    *set forth in subsection (a) of this section, and any such*  
16    *agency is hereby authorized and directed to cooperate fully*  
17    *with the Secretary of Commerce in this connection.*

18        *“(e) Whenever a State shall acquire by purchase or*  
19    *condemnation the right to advertise or regulate advertising*  
20    *in an area adjacent to the right-of-way of a project on the*  
21    *Interstate System for the purpose of implementing this sec-*  
22    *tion, the cost of such acquisition shall be considered as a*  
23    *part of the cost of construction of such project and Federal*  
24    *funds may be used to pay the Federal pro rata share of such*



cost: *Provided, That reimbursement to the State shall be made only with respect to that portion of such cost which does not exceed 5 per centum of the cost of the right-of-way for such project.*"

SEC. 13. *Section 116 (c) of the Federal-Aid Highway Act of 1956 is amended by inserting therein, immediately before the colon preceding the proviso, a semicolon and the following: "and any State highway department which submits plans for an Interstate System project shall certify to the Commissioner of Public Roads that it has had public hearings at a convenient location, or has afforded the opportunity for such hearings, for the purpose of enabling persons in rural areas through or by whose property the highway will pass to express any objections they may have to the proposed location of such highway".*

SEC. 14. **RELATIONSHIP OF THIS ACT TO OTHER ACTS: EFFECTIVE DATE.**

*All provisions of the Federal-Aid Road Act approved July 11, 1916, together with all Acts amendatory thereof or supplementary thereto, not inconsistent with this Act, shall remain in full force and effect and be applicable hereto. All Acts or parts of Acts in any way inconsistent with the provisions of the Act are hereby repealed. This Act shall take effect on the date of enactment.*

1 *SEC. 15. SHORT TITLE.*

2        *This Act may be cited as the “Federal-Aid Highway*  
3 *Act of 1958”.*

Amend the title so as to read: "An Act to amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes."

Passed the House of Representatives March 13, 1958.

Attest: RALPH R. ROBERTS,  
*Clerk.*

Passed the Senate with amendments March 27, 1958.

Attest: FELTON M. JOHNSTON,  
*Secretary.*





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## AN ACT

To amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways.

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IN THE SENATE OF THE UNITED STATES

MARCH 27, 1958

Ordered to be printed with the amendments of the  
Senate



Mr. JOHNSON of Texas. That depends on when we conclude consideration of the road bill. I do not have any idea about it. I would not like to have the Senate sit very late today, but I am anxious to have the Senate complete action on the road bill today. Perhaps the Senator from Tennessee is in a better position to say. How many amendments are at the desk?

Mr. GORE. I am not advised of any more than one or two further amendments which may require debate. It is not a very good idea to hazard a guess, but I should certainly think we should be able to finish by 5 o'clock.

Mr. JOHNSON of Texas. That pleases me very greatly, and I hope the Senator's prophecy will be borne out.

#### FEDERAL-AID HIGHWAY ACT OF 1958

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate resumed the consideration of the bill (S. 3414) to amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes.

The PRESIDING OFFICER. The pending question is on agreeing to the amendment offered by the Senator from Montana [Mr. MANSFIELD] for himself and his colleague [Mr. MURRAY].

#### ATTACKS ON CLERGY

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum—

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. MANSFIELD. For what purpose?

Mr. BUTLER. Before the minority leader left the Chamber, I asked him to yield me 10 minutes. I think the present occupant of the minority leader's chair, the Senator from Pennsylvania [Mr. MARTIN], will be willing to do so, in order that I may make a statement not in connection with the bill before the Senate.

Mr. MANSFIELD. The purpose of having a quorum call was to let the Senate know that the unfinished business was before the Senate. I am perfectly willing to withhold my request, so that the Senator from Maryland may proceed, and at the conclusion of his speech I shall renew the request.

The PRESIDING OFFICER. The Chair states that the Senator from Maryland can secure the time he has requested from the time allotted on the bill itself.

Mr. MARTIN of Pennsylvania. Mr. President, I shall be glad to yield to the Senator from Maryland 10 minutes on the bill.

Mr. BUTLER. Will the Senator yield me sufficient time, not exceeding 15 minutes, on the bill, so that I may conclude my statement without being interrupted,

with the understanding that the time not used will be yielded back?

Mr. MARTIN of Pennsylvania. I yield to the Senator from Maryland 15 minutes on the bill.

The PRESIDING OFFICER. The Chair recognizes the Senator from Maryland.

Mr. BUTLER. Mr. President, America's strength, in my opinion, lies in the fact that we are a deeply religious people. Since the days of the Founding Fathers of our Republic, both Houses of the Congress have opened each session with a moment of devotion.

The first amendment to the Constitution provides that "Congress shall make no law respecting an establishment of religion." The complete separation of church and state provided in the Constitution has engendered a respect on the part of all our citizens for religious leaders of every faith. This respect has served to keep the clergy apart from the day-to-day affairs of collective bargaining and political activity. It is a relationship toward the clergy of all faiths which most of us approve. This American tradition was breached when Emil Mazey, secretary-treasurer of the UAW-CIO, and a trusted lieutenant of Walter Reuther, attacked the clergy before a Senate committee.

Last month the Senate witnessed a most unusual spectacle, the Senate caucus room being taken over by Walter Reuther to denounce the junior Senator from Arizona [Mr. GOLDWATER]. In an unprecedented demonstration of arrogance, Mr. Reuther accused our colleague of cowardice. If the junior Senator from Arizona were a coward, he would have confined his legislative interests to the problems of Arizona, and he would not have incurred the wrath of Walter Reuther.

The Phoenix, Ariz., Republic, in an editorial on February 28, 1958, commented with respect to this unusual procedure as follows:

Just who does Reuther think he is anyway? Who is he to tell a Senate committee how it should run its hearing? By what right does he commandeer a Senate caucus room to run a personal press conference? And on what authority does he malign the elected Representative of the great State of Arizona?

Everyone who has read the record realizes that Mr. Reuther is determined to capture the National Government. He wants to be President, or at least to put his own man in the White House. But few would have thought him capable of moving in on the United States Senate with the contempt that he showed Wednesday.

Mr. Reuther has allowed his power as a union leader to go to his head. He has shown his ability to take over the Democratic Party in Michigan and to carry the Governor of Michigan around in his hip pocket. He is now demonstrating beyond cavil that he is ready to move from the State to the national level. The American people are fortunate that most of the United States Senators, including BARRY GOLDWATER, are not likely to allow themselves to be pushed around by the Socialist labor leader from Michigan.

The junior Senator from Arizona made the statement, with which many concur, that "Walter Reuther and the UAW are a more dangerous menace than the sputniks or anything Russia might do."

On March 7, Mr. Reuther addressed an 11-page letter to the junior Senator from Arizona which concluded with this most unusual proposal:

If your charge that "Walter Reuther and the UAW are a more dangerous menace than the sputniks or anything Russia might do" were true, I would have no moral right to be the president of the largest labor union in the United States and Canada nor be a vice president of the largest free trade union center in the world, the AFL-CIO.

Rather than stepping up the volume and the velocity of the name-calling contest, I should like to respectfully propose that we agree to a sensible, sane, and democratic method for resolving the dispute which grows out of your charge against us.

Specifically I propose that each of us select three nationally prominent clergymen, one from each of the three major faiths—Catholic, Protestant, and Jewish—as a panel to weigh these charges that you have made and to hear my refutation of same.

If, after hearing both our cases, a majority of these six distinguished gentlemen of the cloth, believe you have substantiated your charge that "Walter Reuther and the UAW are a more dangerous menace than the sputniks or anything Russia might do," I will voluntarily resign from the presidency of the UAW, the vice presidency of the AFL-CIO and from the labor movement entirely.

If they decide you have not substantiated your charge, I would leave it up to your own conscience as to whether you would consider yourself fit to continue to play a role in American public life.

Mr. President, Mr. Reuther's dramatic gesture was made immediately after one of his closest associates attacked the integrity of all members of the clergy before the Senate Select Committee on Improper Activities in the Labor or Management Field. It is clear to me that the real purpose of Mr. Reuther's letter was to cover up the outrageous slander against all men of the cloth voiced by Emil Mazey, secretary-treasurer of the UAW-CIO.

The general reaction to Mr. Mazey's outburst is indicated from the following editorial which appeared in the Detroit News on March 3d entitled "Caesar's Meat":

The performance of Emil Mazey as a witness before the McClellan Senate committee is one more entry in the case history of the UAW and its curious and growing God-complex.

If not from the throne itself, Mr. Mazey's voice was from on high, from whence he pronounced moral judgments on the clergy of two great faiths, on the legal fraternity and medical profession of Sheboygan County, on a member of the Senate committee and on a Sheboygan court which had dared to jail a UAW goon.

The daily press, long a target of Solidarity House and its anathema mill, finds itself for the moment in excellent company.

The offense, in which all these are joined, appears to be only that they do not believe that the law according to the UAW transcends the law of the land.

The God-complex is not new in American experience, or for that matter in the annals of organized labor. The American spirit puts up with fools. But not with Caesar. What we are witnessing in the McClellan hearing room may very well be the beginning of the end.

In a letter which was released to the press on March 10, the junior Senator from Arizona responded to Mr. Reuther's



proposal. Mr. President, I ask unanimous consent that the letter may be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Mr. WALTER REUTHER,  
President, UAW-CIO,  
Detroit, Mich.

DEAR Mr. REUTHER: Your letter, an 11-page public relations release, has been received by my office. I note with interest that more attention was given to timing your release for the Sunday editions of the newspapers than was devoted to insuring the delivery of this material to the person to whom it was ostensibly addressed.

In your letter you express some fears that this, your most recent personal attack on me, may be, to use your words, construed as a "public relations gimmick." I believe your fears are well-grounded.

Let me make clear to you at once that issues of grave public importance are presently being weighed by the committee set up by the United States Senate to explore such matters as the UAW-CIO strike against the Kohler Co. Social evils already disclosed by testimony given under oath go far beyond any question of personalities. For you to attempt now to frame the situation in terms of a personal vendetta is, in my opinion, an attempt to obscure the shocking facts disclosed by the present investigation of the strike against Kohler.

The issue is far too important to be viewed in the light of any personal controversy. The people of the United States are now, among other things reviewing your activities and the activities of your fellow officials of the UAW-CIO, through the investigating activities of a committee of the United States Senate. You are not required to defend yourself to me. You are required to explain your methods, aims, and activities to the people of the United States, as represented by the present committee.

You are not answerable to me for any crimes you or your officials or hired men may have committed. Nor are you answerable to any group of six clergymen, distinguished as they may be. You are answerable to the people of the United States through their representatives in Congress who have granted to you a position of special privilege and exemption from the law which requires in you a degree of self-discipline and social responsibility far beyond that of the average citizen.

Since you profess to be concerned with the problem of social responsibility, I would suggest that you carefully review the sworn testimony of your own people as presented to date before the present committee hearing. Your tolerance of and acquiescence in such activities would be a measure of your sense of social responsibility.

As one example I would direct your attention, particularly, to the case of William Vinson. This husky young man standing over 6 feet tall and weighing some 230 pounds was turned loose on the village of Sheboygan, Wis., apparently without instructions. He says he was there to build morale.

In his morale-building duties on June 18, 1954, Mr. Vinson visited Zapetto's Tavern in Sheboygan Falls, Wis. At approximately 11:30 p. m., Mr. Willard Van Ouwkerk, a small, middle-aged local resident, entered the tavern with his wife. The sworn testimony of the record is the most reliable source for the brutal, vicious and unprovoked assault by your UAW-CIO representative upon this local citizen:

"Mr. KENNEDY. On or about June 18, 1954, did you visit a tavern, Zapetto's Tavern?"

"Mr. VAN OUWERKERK. I did."

"Mr. KENNEDY. In Sheboygan Falls, Wis.?"

"Mr. VAN OUWERKERK. That is right."

"Mr. KENNEDY. That was about 11:45 p. m.?"

"Mr. VAN OUWERKERK. If I remember right; yes."

"Mr. KENNEDY. Approximately that time?"

"Mr. VAN OUWERKERK. Approximately, yes."

"Mr. KENNEDY. While you were there, was there a conversation with a woman?"

"Mr. VAN OUWERKERK. There was."

"Mr. KENNEDY. And did that woman identify herself as Mrs. Robert Burkhart?"

"Mr. VAN OUWERKERK. That is right."

"Mr. KENNEDY. Would you relate to the committee what occurred during that conversation and then what happened?"

"Mr. VAN OUWERKERK. She asked me who I was and I told her."

"Mr. KENNEDY. What was Mrs. Burkhart doing at that time?"

"Mr. VAN OUWERKERK. I wouldn't know."

"Mr. KENNEDY. Was she just in the tavern?"

"Mr. VAN OUWERKERK. I imagine she was."

"Mr. KENNEDY. Where did you see her?"

"Mr. VAN OUWERKERK. She came up to us."

"Mr. KENNEDY. You were sitting at the bar, were you?"

"Mr. VAN OUWERKERK. I was sitting at the bar with my wife."

"Mr. KENNEDY. And she came up and started talking to you?"

"Mr. VAN OUWERKERK. She did."

"Mr. KENNEDY. Continue, please."

"Mr. VAN OUWERKERK. Well, she asked me if I belonged to the union and I said no. Well, she wanted to know why not, and I told her that—well, I just didn't believe in it, that I figured that if the lines were open, I had a family to support, and I thought I was going to support them."

"So, then we were talking a little while longer. I don't just remember the conversation."

"Mr. KENNEDY. Did she identify herself at that time?"

"Mr. VAN OUWERKERK. She did."

"Mr. KENNEDY. Did she know who you were?"

"Mr. VAN OUWERKERK. She knew from somebody. I don't know who."

"Mr. KENNEDY. She said you were Willard Van Ouwkerk?"

"Mr. VAN OUWERKERK. That is right. She introduced herself as Mrs. Robert Burkhart."

"Mr. KENNEDY. Continue."

"Mr. VAN OUWERKERK. Well, we talked a little while longer and finally she said, 'Well, I will call somebody.' I don't remember the name. I said, 'No, that wouldn't be necessary.'"

"Mr. KENNEDY. Why did she say she would have to call somebody?"

"Mr. VAN OUWERKERK. Well, I suppose she wanted somebody else to talk to me. I don't know."

"Mr. KENNEDY. She started to talk to you about not working at the plant?"

"Mr. VAN OUWERKERK. She did."

"Mr. KENNEDY. And then she said she was going to get somebody else to talk to you, and she was going to call someone?"

"Mr. VAN OUWERKERK. Yes, I told her that wouldn't be necessary because we were leaving."

"Mr. KENNEDY. Was it antagonistic at that time?"

"Mr. VAN OUWERKERK. No; I wouldn't say it was."

"Mr. KENNEDY. But you didn't want to get into any kind of an argument?"

"Mr. VAN OUWERKERK. I didn't want to get into anything. Then as I got off of the stool, somebody hit me from behind, in the back of the head."

"Mr. KENNEDY. You were struck on the back of the head."

"Mr. VAN OUWERKERK. I was."

"Mr. KENNEDY. And you never saw the person who struck you at all?"

"Mr. VAN OUWERKERK. I never saw him."

"Mr. KENNEDY. You were knocked down then?"

"Mr. VAN OUWERKERK. I was knocked unconscious. I was on the floor."

"Mr. KENNEDY. You were knocked unconscious."

"Mr. VAN OUWERKERK. I was."

"Mr. KENNEDY. Is that right?"

"Mr. VAN OUWERKERK. That is right."

"Mr. KENNEDY. And when did you regain consciousness?"

"Mr. VAN OUWERKERK. I regained consciousness outside."

"Mr. KENNEDY. You regained consciousness outside?"

"Mr. VAN OUWERKERK. That is right."

"Mr. KENNEDY. Afterwards, was it related to you as to what happened when you were knocked down to the floor?"

"Mr. VAN OUWERKERK. Yes; I heard about it afterward."

"Mr. KENNEDY. What did they tell you as to what happened?"

"Mr. VAN OUWERKERK. Well, they told me that this person had worked on me with his feet on my back."

"Mr. KENNEDY. With his what?"

"Mr. VAN OUWERKERK. With his feet."

"Mr. KENNEDY. Once you were knocked to the ground from behind, the man then began to kick you; is that right?"

"Mr. VAN OUWERKERK. That is right."

"Mr. KENNEDY. And he kicked you in your ribs?"

"Mr. VAN OUWERKERK. My ribs; yes."

"Mr. KENNEDY. And continued to kick you until they pulled him away?"

"Mr. VAN OUWERKERK. That is right."

"Mr. KENNEDY. And finally somebody carried you outside?"

"Mr. VAN OUWERKERK. Yes."

"Mr. KENNEDY. When you regained consciousness did you subsequently go to the hospital?"

"Mr. VAN OUWERKERK. Do you mean directly?"

"Mr. KENNEDY. Well, directly you did not go?"

"Mr. VAN OUWERKERK. No."

"Mr. KENNEDY. But subsequently you did go to the hospital?"

"Mr. VAN OUWERKERK. I did."

"Mr. KENNEDY. The following day?"

"Mr. VAN OUWERKERK. This was on a Friday night. I went to the hospital on Sunday."

"Mr. KENNEDY. Did they take X-rays at that time?"

"Mr. VAN OUWERKERK. That I ain't sure of. I couldn't answer that."

"Mr. KENNEDY. Well, did they find, anyway, that you had any ribs broken or any broken bones in your body?"

"Mr. VAN OUWERKERK. Yes; through X-rays."

"Mr. KENNEDY. Through X-rays?"

"Mr. VAN OUWERKERK. That is right."

"Mr. KENNEDY. How many ribs did you find were broken?"

"Mr. VAN OUWERKERK. It was either 3 or 4."

"Mr. KENNEDY. Three or four of your ribs?"

"Mr. VAN OUWERKERK. That is right."

"Mr. KENNEDY. Were you beaten in any other place?"

"Mr. VAN OUWERKERK. Well, had a punctured lung, and then I contracted pneumonia from that lung."

"Mr. KENNEDY. You contracted pneumonia from that lung."

"Mr. VAN OUWERKERK. That is right."

"Mr. KENNEDY. How long were you in the hospital?"

"Mr. VAN OUWERKERK. I was in there some twenty-odd days. I think it was 22."

"Mr. KENNEDY. So you were knocked down by an unknown assailant and when you were down on the floor, he proceeded to kick you, and you were kicked and knocked unconscious. You were carried outside and ultimately went to the hospital and found that you had 3 or 4 broken ribs, had a punctured lung, and ultimately contracted pneumonia, is that right?"



In November 1956 Dr. Cronin was appointed to the post he held at the time of his death, which gave him responsibility for Public Health Service hospitals, nursing and dental resources, the medical services of the Coast Guard, Bureau of Prisons, and Bureau of Employees' Compensation, and administrator of the Hill-Burton hospital and medical facilities construction program.

Dr. Cronin has published articles in widely diversified journals on subjects including psychiatry, medical penology, occupational health, and hospital and health administration.

He was a member of the Industrial Medical Association, Southern Medical Association, an associate of the District Medical Society, and the Association of Military Surgeons of the United States.

As chief of the Hill-Burton program, Dr. Cronin consistently urged States to appropriate money for hospital, nursing home, and clinic construction. He is credited with rallying support for the program, and applying its provisions throughout the country.

#### FEDERAL-AID HIGHWAY ACT OF 1958

The Senate resumed the consideration of the bill (S. 3414) to amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may be permitted to suggest the absence of a quorum without the time consumed being charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. PROXMIRE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, what is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Montana. How much time does the Senator yield himself?

Mr. MANSFIELD. I yield myself 10 minutes.

Mr. President, the amendment offered by my distinguished senior colleague [Mr. MURRAY] and me has to do with a matter which we believe to be of peculiar interest to the State of Montana.

The Federal-Aid Highway Act of 1958, S. 3414, as reported to the Senate, is an excellent piece of legislation prepared to accelerate the construction of highways throughout the Nation. This incentive will apply to the interstate, primary, and secondary highways, as well as the forest and public land highways. This program will stimulate a great increase in construction activity throughout the country, at a time when it is so badly needed.

Most States will be able to take immediate advantage of these liberalized

amendments, but there are a few States, including Montana, which will not be able to take full advantage of the program with the exception of highways and roads that are wholly financed by Federal funds, such as forest highways.

The State of Montana is at present having difficulties in meeting its matching requirements for Federal funds. I am advised that if the State could get \$10 million for ABC roads without having to provide matching funds there are enough projects ready to go ahead within 3 to 6 weeks to utilize this amount of money. On these projects all the planning and engineering work has been completed, and they are awaiting the posting of bids.

In the planning of the Interstate System in Montana a number of difficulties have been encountered in purchasing rights-of-way. If the State could get approximately \$15 million without matching requirements, the officials feel that within a year there would be enough jobs, such as work on bridge structures, ready to be started.

S. 3414 as reported by the committee would make it possible for the State of Montana to receive 93 percent Federal funds in the construction of the Interstate System, but this would not even help the State in providing immediate sources of employment.

Montana is in need of an immediate source of employment, and it is with this thought in mind that I have sent to the desk an amendment to S. 3414 which would authorize the waiving of all matching requirements for Federal funds allocated under the Federal Highway Act for the period of 1 year, with a \$15 million maximum on ABC roads and \$20 million maximum on the Interstate System.

The recession has hit hard in Montana, and the State now has the dubious distinction of having the highest insured unemployment rate in the Nation, as of March 8. An accelerated highway program is a natural for providing new employment for the unskilled, as well as the skilled workers who are now seeking employment.

Since Federal construction has been decided upon by the Congress as one of the chief means of combating the recession and granting employment to the many unemployed, it does not seem to me that I am requesting too much, especially in view of the fact that Montana is the hardest hit State in the Nation, and it is urgent that immediate assistance be given to enable the State to achieve some economic stability. Montana has, in addition to the recession problem, the handicap of being the third largest State in the Union with a very small population, which in turn affects the State's revenue. These two problems make it virtually impossible for Montana to take full advantage of the highway program as it now stands.

Under my amendment the vast majority of States will be able to proceed under the accelerated program, contributing their matching share in order to keep their road building program on schedule. It will also help those few States which have had difficulties simi-

lar to Montana's, in financing their road programs.

Mr. President, I urge that this amendment be agreed to. Its adoption will provide the immediate stimulant which is so badly needed to meet mounting employment problems.

Mr. MARTIN of Pennsylvania. Mr. President, I yield 3 minutes to the Senator from Tennessee.

Mr. GORE. Mr. President, the able junior Senator from Montana has made a strong and an appealing speech and plea. In essence, the Senator pleads the cause of the States which will have difficulty in matching supplementary funds for fiscal 1959.

The committee anticipated these difficulties by temporarily increasing the matching formula from 50-50 to 70-30 for a 1-year apportionment of \$400 million. The committee further anticipated the difficulty several States will have in matching funds by providing in the bill that two-thirds of the 30 percent, which is required of the State as a matching fund, can be borrowed from the United States Treasury. Thus the cash to be supplied by the States will be 10 percent of the cost of the project, as a bedrock requirement.

The distinguished Senator says that even this will be difficult for the State of Montana. I believe it will be difficult for a few other States also. However, the committee feels that the States can and will find a way to provide 10 percent of the cost of the primary, secondary, and urban projects.

Even if the committee's view should not be sustained, the amendment which the able Senator has offered would go much further than that. In the case of the Interstate System, it would provide, not in excess of \$20 million, to every State without matching, whether or not the State was having difficulty in matching funds, and not in excess of \$15 million to every State for projects on the primary and secondary Federal-aid systems. This would mean a total grant of \$35 million to every State, without any requirement that the State provide any matching funds whatever.

Although I am usually in accord with whatever the able junior Senator from Montana suggests—and that record of cooperation and conformity of views is now in its 20th year—

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MARTIN of Pennsylvania. I yield 2 additional minutes to the Senator from Tennessee.

Mr. GORE. I find myself unable to support the amendment, because it would apportion to States, without any recognition of territory, mileage, and financial ability, not to exceed \$35 million, and that apportionment would be made to every State.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. MARTIN of Pennsylvania. Has anything of that kind ever been done, since we started granting Federal aid for the highway systems? Have we ever appropriated a certain sum to a State without taking into consideration population, mileage, and other factors?



Mr. GORE. I do not believe so. Yesterday the distinguished junior Senator from Montana made an eloquent and effective plea for the allocation of vast sums to the forest highways. He and other Senators from the West were successful in persuading the Senate in that regard.

I believe, however, that the pending amendment goes farther than the Senate can, with prudence, afford to go. It is offered with the best of motives. So far as it would apply to Montana and other States similarly situated with respect to difficulties in matching funds, it possesses a good deal of equity. But when applied nationwide, I do not think the Senate should adopt it. I ask the Senate to reject the amendment.

Mr. MANSFIELD. Mr. President, I yield myself 1 minute. I appreciate what the distinguished chairman of the Subcommittee on Public Roads has said. I know he is a friend of the West. I know that if there were some way in which he could help us, he would go more than half way to do so.

I point out that what the senior Senator from Montana and I are requesting in the amendment is a moratorium for 1 year. We do that on the basis of two factors. First, the Montana Legislature will not meet until January 1959. Second—and I dislike to make this statement, but I must do so in all honesty—my State has the shameful distinction, on a percentage basis, of having the largest number of people drawing unemployment compensation at this time of any State in the Union. As of March 8, 1958, the figure was 14.9 percent.

It was because of the peculiarly difficult economic situation in which Montana found itself that I was constrained to offer the amendment on the advice of persons in whom I have great trust and faith, who understand the State's economic situation, and realize the importance of an accelerated highway-construction program, especially so far as it will affect secondary roads.

I most sincerely hope that the Senate will see fit to agree to the amendment at this time.

Mr. MARTIN of Pennsylvania. Mr. President, I yield 2 minutes to the distinguished Senator from Nebraska.

Mr. HRUSKA. Mr. President, yesterday during the discussion of the amendment which sought to strike out section 11 of the bill, some comments were made about the cost of the relocation of utilities. Inasmuch as the discussion was somewhat indefinite, I thought it might be well to have the RECORD contain, during the course of the debate on the entire bill, the testimony on this particular subject as it was adduced before the Committee on Public Works in the form of a supplemental statement by E. C. Yokley, vice chairman of the Committee on Municipally Owned Utilities, National Institute of Municipal Law Officers. The supplemental statement will be found on page 626 of the hearings which were held between January and March of this year.

I ask unanimous consent that the statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SUPPLEMENTAL STATEMENT OF E. C. YOKLEY, VICE CHAIRMAN, COMMITTEE ON MUNICIPALLY OWNED UTILITIES, NATIONAL INSTITUTE OF MUNICIPAL LAW OFFICERS, RE S. 3150

Secretary Weeks and Mr. Tallamy, when they appeared before the Senate Roads Subcommittee on January 8 and 9, 1958, referred to an increase of approximately \$10 billion since 1956 in the estimates for building the Interstate System. On January 9, 1958, Senator Case asked Mr. Tallamy to what extent the cost of reimbursing utilities entered into the increase of estimates of the States for completing the Interstate System. Mr. Tallamy replied that the total increase in cost of utilities, which also includes certain other costs to which he referred, involves a 3 percent increase in costs.

In order to offer some clarification of the amount of utility relocation costs, I would like to call the committee's attention to the statement of John A. Tenbrook for the Edison Electric Institute (hearings before the Committee on Public Works, House of Representatives, on H. R. 4260, 1st sess., 84th Cong., p. 943). Mr. Tenbrook analyzed the study made by the Secretary of Commerce (H. Doc. 127) and found that total utility relocation costs were 2.5 percent of total highway construction costs. He further found that under existing laws and practices in various States two-fifths of this amount was presently reimbursed. Thus the amount of utility relocation costs involved in further provision for reimbursement was about 1.6 percent of total road construction costs. Since 1954, when the study was made by the Secretary of Commerce, the costs involved in relocating utility facilities, has not, according to any information I have been able to obtain, increased substantially. The \$10 billion increase in the estimates of cost of constructing the Interstate System caused by increased costs of rights-of-way acquisition and other increased costs should not be considered as reflecting a similar increase in costs of utility relocation. In other words, if 1.6 percent of the total cost of constructing the Interstate System in 1956 represented additional utility relocation costs, the present amount of these costs should be less than 1.6 percent—in fact not much over 1 percent.

Mr. HRUSKA. Mr. President, I point out that instead of the cost of relocation being 3 percent, it is nearer one percent. On that basis, instead of involving a figure of approximately \$1 billion, the difference between 70 percent of the cost and 90 percent of the cost is approximately \$74 million. Even in the fiscal matters of the United States Government there is a vast difference between \$74 million and \$1 billion.

I should say that the Senator from South Dakota [Mr. CASE] correctly approximated the situation in his discussion of the subject, as will be seen by comparing the explanation which he gave on that point concerning the cost of relocation and the statement which Mr. Yokley gave, and which has now been incorporated in the RECORD. The Senator from South Dakota is to be commended for his very keen, retentive memory, especially when there is taken into consideration the vast volume of testimony which was adduced. Nevertheless he was able to retain its essence in this particular.

Mr. MARTIN of Pennsylvania. Mr. President, I yield 5 minutes to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, although I have risen to speak about the pending amendment, I should not care to let so nice and generous a compliment as was paid to me by the Senator from Nebraska go unacknowledged. I appreciate his very generous remarks.

Concerning the pending amendment, as the distinguished chairman of the subcommittee has said, the committee has given consideration to the economic situation and, in my personal judgment, has been overly generous in that regard.

I expect to offer later in the day an amendment which would reestablish the 50-50 basic matching formula for the \$400 million of emergency funds allocated to the ABC roads. Consequently, I shall, of necessity, be obliged to oppose the pending amendment which would waive all matching requirements for one year to the extent of the \$15 million or \$20 million figure which the Senators from Montana have proposed.

South Dakota is very similar to Montana in many respects. Our economies are much the same. Citizens of South Dakota are engaged in cattle and stock raising and grain farming in the prairie areas of the State. There are lumbering and mining in the mountainous sections of the State. So I think our economy is much like that of Montana, and I have great sympathy for the problems which the Senator from Montana has stated.

At the same time, I recognize that if we are to have any standards in relation to public roads, and are to maintain the Bureau of Public Roads as a construction agency, and not convert it into, presumably, a relief agency, as such, it will be necessary to maintain the same requirements for matching for the several road funds.

The Western States which have public lands within their boundaries get some concession in matching under present circumstances. On page 13 of the committee report, there appears a table entitled "Sliding Scale Rates of Federal-Aid Participation in Public Lands States Effective February 1, 1958." From the table, I note that my own State of South Dakota does not match on a 50-50 basis. The Federal Government contributes 55.83 percent of a dollar.

As to Montana, the Federal Government puts up 56.54 percent of a dollar, instead of 50 cents, as is the case in the States which do not have public domain or land owned and controlled by the Federal Government and not subject to local taxes.

The amount contributed by the Federal Government runs as high as 83.74 percent in Nevada, and 71.96 percent in Arizona.

So the Western States, where there are depressed conditions in the mining communities, have the benefit of a better matching ratio than do some other States. That applies to the ABC roads—the Federal primary, the Federal secondary, and the Federal urban roads.



In addition, some type of credit is given on the Interstate System.

So the public-lands States get a little better break than 90 cents on the dollar on the Interstate System. In South Dakota, it is 91.17 percent; in Montana, it is 91.31 percent.

In view of these circumstances, and in view also of the provisions in the bill for an emergency fund from which a portion of the matching money could be borrowed by the States, it seems to me that the amendment should not be adopted. Yet I respect, not only the right of the Senators from Montana to present the amendment at this time, but also their diligence. I feel, however, that we should maintain the standard and principle of contribution by the States. This is necessary if we are to keep the public-roads program on a sound basis throughout the years.

For these reasons, I hope the amendment will not be agreed to.

Mr. MARTIN of Pennsylvania. Mr. President, I am willing to yield back the remainder of my time.

Mr. MANSFIELD. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the junior Senator from Montana [Mr. MANSFIELD] for himself and the senior Senator from Montana [Mr. MURRAY].

The amendment was rejected.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at this time I may suggest the absence of a quorum, and that the time required for calling the roll not be charged to the time available under the unanimous-consent agreement.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Is there objection? Without objection, it is so ordered; and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASE of South Dakota. Mr. President, I call up my amendment identified as "3-24-58-D," which is at the desk. I ask that the amendment be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 24, after line 9, it is proposed to insert a new section, as follows:

"Sec. 13. Section 116 (c) of the Federal-Aid Highway Act of 1956 is amended by inserting therein, immediately before the colon preceding the proviso, a semicolon and the following: "and any State highway department which submits plans for an Interstate System project shall certify to the Commissioner of Public Roads that it has had public hearings at a convenient location, or has afforded the opportunity for such hearings, for the purpose of enabling persons in rural areas through or by whose property the highway will pass to express any objections they may have to the proposed location of such highway."

Renumber the succeeding sections.

Mr. THYE. Mr. President, will the Senator from South Dakota yield 4 or 5 minutes to me?

Mr. CASE of South Dakota. Mr. President, I yield 5 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

#### A NATIONAL SCHOLARSHIP PROGRAM AND LOANS TO COLLEGES AND UNIVERSITIES FOR SCIENCE EQUIPMENT AND FACILITIES

Mr. THYE. Mr. President, I thank the Senator from South Dakota for his courtesy in yielding to me.

Let me say, Mr. President, that on the first day on which bills could be introduced at this 2d session of the 85th Congress, I introduced Senate bill 2917, which calls for a national scholarship program. A few weeks later, I introduced Senate bill 3281, which would provide loans to colleges and universities for science equipment and facilities. Many of my colleagues have introduced similar bills of their own pertaining to this much needed legislation.

Mr. President, I am deeply concerned with the fact these bills are still in committee, and we do not know how long it will be before they will come before the Senate for consideration. Time is of the essence. If we are to institute a scholarship program which will effect an increase in the number of students who will enroll in courses in science, mathematics, and technology next fall, we must act quickly. High-school seniors are now making up their minds as to what they will do after their graduation next May or June. Even after these proposals are enacted into law, we know it will take many weeks to establish a scholarship program.

One of the main purposes of a national scholarship program is to encourage young men and women who would otherwise not be able financially to go to college, to continue their education beyond the high-school level. I repeat, Mr. President, that these high-school seniors are now making up their minds as to whether they can afford to continue their education. Any material encouragement we are to give them must come quickly, if it is going to affect their decision.

Furthermore, if our colleges and universities are to prepare to train increased numbers of students in the areas of science and technology, there must be loans or grants to provide equipment and expanded laboratory facilities. Even if such legislation could be considered and passed today, it would still take months to plan for, order, and install the needed equipment.

I understand that on March 13, the Committee on Labor and Public Welfare completed hearings on these and other proposals. However, I have been unable to learn when further committee action can be expected.

I respectfully urge, Mr. President, that the committee act on these bills as

quickly as possible. It is also my hope that when the bills are reported by the committee, they will be scheduled for action in the Senate with a minimum of delay.

During the first weeks of this session, my colleagues spoke as with one voice of the urgent need for legislation to bolster our educational system and assist our educators in their determination to excel Russia and maintain world leadership in science and technology. Mr. President, we cannot permit two successful satellite launchings by our country to lull us back into a spirit of complacency.

Theodore Roosevelt once said that too often America has had to learn by tragedy, rather than by experience. By moving quickly to enact the bills for a national scholarship program and for loans or grants for scientific equipment and expanded laboratories in our institutions of higher learning, we can prevent tragedy, and can show that we are learning by experience.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The Senator from South Dakota is entitled to the floor.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I understand the Senator from Minnesota wants to get some time from those in opposition.

Mr. GORE. Mr. President, I yield 5 minutes to the junior Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

#### THE AMERICAN SEARCH FOR PEACE

Mr. HUMPHREY. Mr. President, the well-known and energetic journalist, Doris Fleenon, recently addressed the Farmers Union convention in Denver, Colo. As usual, she was provocative, imaginative, and constructive. Her speech was entitled "The American Search for Peace." It deserves the attention of every Member of this body.

I ask unanimous consent that the text of the address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

##### THE AMERICAN SEARCH FOR PEACE

(Address by Doris Fleenon at the National Farmers Union Convention, Denver, Colo., March 19, 1958)

No better text for a nation in crisis was ever penned than the words of Abraham Lincoln in his famous house-divided speech. "If we could know where we are and whither we are tending we could better judge what to do and how to do it."

Lincoln was reaching for a national self-awareness—the indispensable preliminary to any saving act of Government. You will notice that no word in that sentence is longer than two syllables. It is not a slogan and it is definitely not subliminal.

Lincoln was not seeking to hypnotize himself or his audience. He wanted people to understand exactly what he was trying to



do. He did not want them to stop thinking; he wanted them to think harder.

As Little Rock has so recently reminded us we have still to outlive the tragedy of our failure to follow in time where Lincoln led. His words remain valid—100 years and immensely greater challenge later. If we will only consent to look at what we see, we can save ourselves.

What we see is all too apparent. It is a succession of Potemkin villages which all of us—our politicians, our press, our people—have constructed to adorn our way.

It is possible to forgive Catherine the Great for never looking behind the rich facades with which Prince Potemkin concealed the emptiness of his grandiose schemes for colonizing the south Russian steppes. He was plausible and she loved him. The divine right of kings still bemused that sleeping giant of a nation whose awakening has taken a form so menacing for freedom everywhere.

Potemkin was a superbly successful propagandist. It is interesting that one of its earliest and certainly one of the best pieces of propaganda by the Soviet Union was a moving picture entitled "The Armored Cruiser Prince Potemkin." That moving film was in a sense a salute from master propagandists to a spiritual ancestor.

I suspect that my generation felt and certainly hoped it had seen the final flowering of propaganda in the so nearly successful attempt by Adolf Hitler to rule the world. It was the sole weapon by which Hitler maneuvered himself onto the world stage with his appointment as German Chancellor.

Of that appointment the venerable German historian, Friedrich Meinecke, wrote at the time: "I said to myself with the deepest consternation not only that a day of misfortune had dawned for Germany but also—'this was not necessary.'"

This was not necessary. It had only been made to appear necessary.

Today, we live in a world which, because media of communication have multiplied so enormously, the opportunities for propaganda have become infinitely greater. The use of those opportunities has followed right along in geometrical progression.

The New York Times chief correspondent in Washington, James Reston, wrote recently: "This administration is more interested in the appearance of leadership than in leadership itself, more in the appearance of power than in the reality of power, more in seeming to train Mr. Nixon for the Presidency than in actually training him."

You may have heard what the Duke of Wellington said of his commanders on the eve of Waterloo: "I do not know if my generals scare the enemy but, by God, they scare me." I do not know if Mr. Reston was terrified when he wrote those words but he well expressed what I believe to be the true grounds we have for terror.

As in all situations of crisis, there is plenty of blame to go around. But certainly no American government has used the means and tools of propaganda to quite the same degree as the present one. It has for some time deeply troubled observers who see in it a denial of the processes on which a free society must be based.

It was the proud motto of old E. W. Scripps which read: "Give light and the people will find their way." But the light available today is not clear and strong, it is diffuse and flickering and it does not allow us to discriminate between reality and our Potemkin villages.

This is matter enough for concern, nor is counterpropaganda the answer. What has happened, in my view, is that the nemesis of propagandists has overtaken us.

It has long been noted that gamblers who make a living on the exploitation of odds stacked in their favor have a fatal flaw.

They gamble themselves—and it is a rare gambler who dies rich. It is a rare propagandist who does not in the end fall victim to the siren song of his own propaganda.

You will remember that Hitler from his bunker in Berlin ordered the men around him to destroy the Germany which had lost the war. Hitler had begun with cynical master-race slogans and Jewish scapegoats, whose money he coveted; he ended by decreeing that the master race was not worthy of its master and so merited destruction.

Our real danger is that we, too, may be trapped in our own propaganda inventions. It is bad enough that the American people have so little opportunity to distinguish between the real and the unreal. It is far more frightening that few of our leaders manage to escape the contagion of their own propaganda.

In thinking about what I should say here it occurred to me that perhaps a better title for my remarks would be: Is there an American search for peace? I suspect that had I done so, I might have felt vaguely unpatriotic and I think my sponsors might have worried more than somewhat.

And yet it seems to me that the question is valid and that if we answer it in the negative we shall have arrived at the only clear, rational, and logical explanation of Secretary of State John Foster Dulles and his policies. Our friends and allies have found those policies incomprehensible and infurling; the most charitable word they apply to him personally is guileful. But having said "No" to our question, we must ask then what Dulles is doing.

It seems to be clear that what he is striving for is a balance of world power, a balance weighted in our favor, but a balance.

Let me put it this way: What Secretary Dulles is seeking is not peace as such but a quite different state—a condition of nonwar.

I have the highest regard for the Secretary's brains. Now that the blight of McCarthyism is past, I hope it is unnecessary to mention that I accept the fact of his patriotism exactly as I do mine and yours. But I am trying to find out where we are and whither we are tending and it does not do to accept even the Secretary of State as the final word.

It may be that Secretary Dulles is the supreme realist who sees the facts about the world as they are and acts accordingly. It would go far toward explaining why what he does so often runs athwart of what he—and the President—say. It may be that peace as such is unattainable, though I do not think we shall know that until we have tried to achieve something more than our nonwar state.

Some younger Americans may not have much memory of a peaceful world. The generation which is now in our colleges and universities has had little experience with a time when we were not either in a war, licking the wounds of one, or preparing for still another.

Nevertheless, we at least have an emotional understanding of the meaning of peace, which in its true sense is a positive and creative condition rather than a negative and sterile one. I know no better description of it than that of the Bible, a time when the lion lies down with the lamb and the swords are turned with confidence into plowshares. It is a time in which mankind can turn his thoughts, his efforts, his resources into the pursuit of creative rather than destructive activities.

Certainly the desire for peace is one of the great forces which moves the heart of mankind. It moves us Americans. It must be an even deeper emotion where the horror of war has so recently made itself actually felt, rather than more or less remotely, as with us in the past four generations. It is safe to say that a Russian of Kiev or Stalin-grad, or an Englishman of Coventry, would

feel even more deeply about peace than most of us.

It is perhaps the most remarkable fact of our time that in the face of a universal desire for peace and hope for peace, that the best we find our leaders searching for is a state not of peace but of nonwar. Since we must assume that our leaders are persons of sense and sensibility, capable of logical thought, subject themselves to the emotions which move most of us, we naturally must ask why this is so.

Why is it that a state of nonwar, with all its costs and all its tensions and all its wastefulness—and all its dangers seems preferable to a state of peace?

Before we go into that question, we must examine the plain fact that a full-scale nuclear war today is unthinkable. No sane, no reasonable man today would commit any nation to a course of action whose outcome would inevitably lead to a new world war.

A single fusion bomb, that is a hydrogen bomb, can now release more destructive power than all of the explosive power aimed at the Axis powers by the Allies in World War II. In any new world war hundreds of such bombs—plus countless atomic bombs—would be unleashed in 12 hours. And then the deadly, unseen, all-enveloping force of radiation would surround the world, leaving no victor and no vanquished, no combatant and no noncombatant. That is the real force, the final force, which will prevent reasonable men from pushing the button which would start a major war. It applies with the same inexorability to us as to the Russians.

We know from experience, however, that the world cannot depend on government—or rule—by reasonable men at all times. We have had the experience of Hitler and we know that if it had been within his power—if he had had H-bombs and intercontinental ballistic missiles, he would have taken the whole of the German nation with him in his suicide and incidentally the whole of mankind—if he had been able.

That is the dark threat of a state of war. We must ask ourselves then why we seem to be settling for a state of nonwar with its deadly potential of a Hitler mentality somewhere in the wings. Why does not the desire for a just, reliable, and stable peace burn within our souls and occupy our most creative thoughts?

If the couple of dozen world leaders who are capable of making decisions as between peace and nonwar or war itself are reasonable men, we must inquire as to what basis in logic and reason they have for defying the world's longing for peace and what would seem to most of us the simple logic of peace.

It could be said that this couple of dozen leaders armed with these powers of final decision over the life of mankind do not trust each other.

Mr. Dulles repeatedly argues that Russia has proved that she cannot be trusted. He can point to the failure of the Soviet Union to keep the pledges of Yalta and Potsdam. Can we say that it is unreasonable of Secretary Dulles to ask for a demonstration of sincerity before we make commitments and let down our guard?

But, on the Soviet side, can we expect anything other than its feverish efforts, obviously crowned with a degree of success, to match or overmatch or offset the ring of military bases with which we have surrounded it?

Respect for each other's murderous potential may keep both of us in a state of nonwar. It would take more than respect; it would require trust to achieve peace. But very recent history demonstrates that where friendship and collaboration between nations appears convenient and desirable it is quite possible to bridge chasms which seemed at the time far more profound than those which divide the United States and the Soviet Union. The intimate collaboration which



# FEDERAL-AID HIGHWAY ACT OF 1958

The Senate resumed the consideration of the bill (S. 3414) to amend and supplement the Federal-Aid Highway Act approved June 29, 1956, to authorize appropriations for continuing the construction of highways, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. CASE].

Mr. MAGNUSON. Mr. President—

The PRESIDING OFFICER. Does some Senator desire to yield time to the Senator from Washington?

Mr. MAGNUSON. Mr. President, will the Senator from Tennessee yield me some time?

Mr. GORE. Mr. President, I yield 5 minutes to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington is recognized for 5 minutes.

Mr. MAGNUSON. Mr. President, I should like to ask the distinguished Senator from Tennessee for an interpretation regarding section 2 of S. 3414, which contains the provision which allows the Federal Government to match the State funds on a 70-30 basis.

I have in my hand the report, at page 19 of which there is an explanation of the matter in some detail. I wish to ask a question of the Senator from Tennessee because of a somewhat peculiar situation existing in the State of Washington, which I have informally discussed with the Senator and with other members of the committee.

If a State desires to follow the course set forth in the bill, and if it becomes State policy, it will be entitled to its share, as I understand, of \$400 million for accelerated construction.

Mr. GORE. To be matched on a 70-30 basis.

Mr. MAGNUSON. To be matched on a 70-30 basis. If a State such as the State of Washington decided it was in favor of the accelerated program and wished to participate in it, and if the State should proceed with a project of a highly controversial nature, much needed, such as a bridge which would finally connect up with the interstate highway a very short distance away, in the opinion of the Senator from Tennessee, under section 2, and using the 70-30 matching provision, could the State limit itself to one project?

Mr. GORE. The bill apportions to the States amounts determined by the formula written into existing law.

By this formula the share of the State of Washington in the \$400 million would be \$6,562,000, and this would represent 70 percent of the cost of projects which could be accomplished under this provision.

The committee has seen fit to recommend 100 percent transferability, that is, permission to the States to use the entire apportionment from this special economic stimulus of \$400 million for 1 year, on either primary highways, sec-

ondary highways, or urban extensions of those systems.

Therefore, to answer the Senator's question, if a project is a part of the primary highway system of the State of Washington, or the secondary highway system of the State of Washington, or an urban extension of either, it is within the purview of this bill for the State to apply and obtain approval and utilize the full amount on one project.

Mr. MAGNUSON. I presume, from reading the report and some of the testimony, that this section, and the item of \$400 million, were obviously placed in the bill to accelerate the program for the coming year.

It is provided, is it not, that if this plan were accepted and approved by the State of Washington and the Secretary of Commerce, contracts would have to be let prior to December 1, 1958, and all the funds would have to be obligated or contracted for within the year?

Mr. GORE. The exact provision is that funds shall be available for expenditure pursuant to contracts awarded by the State highway departments prior to December 1, 1958, which contracts shall provide for completion of construction prior to December 1, 1959.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. GORE. Mr. President, I yield myself 5 additional minutes.

One member of the subcommittee has suggested that, though the money must be paid in pursuance of a contract providing for completion prior to December 31, 1959, we should perhaps add a provision such as the following:

Subject to delays caused by circumstances and conditions beyond the control of and without the fault of any contractor on such contracts, and delays created by acts of God.

Mr. MAGNUSON. I think that would be a wise suggestion, because it is difficult to have an exact cutoff date. Even though it is clearly the intention of the State to complete the project within the year, and it has let the contracts, there may be delays beyond the control of the State. I believe that the suggested provision would be wise.

Mr. GORE. This proposal is being circulated among the members of the subcommittee, and shortly we shall know their opinion.

Mr. MAGNUSON. I read from page 19 of the report:

These additional funds will be available for expenditure on the primary, secondary, or urban systems, without limitation as to the percentage to be utilized on any system, which would permit transfer or interchange of apportionments between these systems, and grant the States more flexibility in using the funds where need is greatest and in areas where unemployment is greatest.

I presume the committee had in mind that a showing of unemployment in a given area might be one of the criteria for approval by the Federal Government in this case.

Mr. GORE. I cannot say that the committee had in mind that that would be a criterion. This is really a statement of the reasons why the committee

granted the 100-percent transferability, as between the primary, secondary, and urban extensions.

Mr. MAGNUSON. I thank the Senator from Tennessee.

Mr. CASE of South Dakota. Mr. President, I should like to supplement what the able Senator from Tennessee has said in response to the interrogatories of the Senator from Washington.

The apportionment is made to the States on the basis of a regular scale, and 45 percent is apportioned for primary highways, 30 percent for secondary highways, and 25 percent for urban extensions. But once the State gets the money, it has complete freedom, with respect to its share of the \$400 million, to decide where the money is to be spent within the State. So the determination of an economic condition would be wholly within the decision of the State.

Mr. MAGNUSON. Also, if the State decided to transfer or use the entire amount on a project which could be completed within a reasonable time—1 year, for example—the question of the economic situation would be at least a criterion for the State to decide.

Mr. CASE of South Dakota. Yes. That is why the time element was introduced.

Mr. GORE. In other words, instead of this language in the report indicating a requirement that the State cite the economic condition as a criterion, it is rather a statement of the reasons why the committee has recommended 100-percent transferability.

Mr. MAGNUSON. But that factor would probably be cited by the State as a reason for its action.

Mr. GORE. It would certainly be a very good reason.

As I understand the able Senator, he is referring to the construction of a project, such as a bridge or abutment, on a State route in Washington.

Mr. MAGNUSON. A State primary route.

Mr. GORE. Funds would be available therefor, as they would be available for a tunnel in Boston that was on the system, or an urban extension of a primary or secondary highway, or a bridge or abutment in Tennessee or South Dakota. The committee felt that the flexibility would aid the States in placing this money under contract at the earliest possible time.

Mr. MAGNUSON. I thank the Senator from Tennessee.

Mr. CASE of South Dakota. Mr. President, I yield myself 5 minutes from the time allotted in favor of the amendment which I offered some time ago.

The amendment which is now pending is one which would add a new clause to the law relating to public hearings for the location of segments of the Interstate System. The present law, in paragraph (c) of section 116, provides:

Public hearings. Any State highway department which submits plans for a Federal-aid highway project involving the bypassing of or going through any city, town, or village, either incorporated or unincorporated, shall certify to the Commissioner of Public Roads that it has had public hearings or has



afforded the opportunity for such hearings, and has considered the economic effects of such a location.

That provision was written into the Highway Act of 1956, I think, upon the motion of the distinguished Senator from Oklahoma, who felt that a town that was bypassed should have an opportunity to be heard before the new route was finally established.

Following its enactment, this provision has been observed by the State highway commissions, and many towns and communities have held public hearings. The conduct of those hearings for the benefit of towns and communities has aroused a desire on the part of ranchers and farmers for a like opportunity to be heard on the location of highways.

Consequently, following the request of some livestock associations, I am proposing that the present clause providing for public hearings for towns and small communities shall have added to it the words: "and any State highway department which submits plans for an Interstate System project shall certify to the Commissioner of Public Roads that it has had public hearings at a convenient location, or has afforded the opportunity for such hearings, for the purpose of enabling persons in rural areas through or by whose property the highway will pass to express any objections they may have to the proposed location of such highway."

Mr. GORE. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. GORE. Is it not a fact that the Federal Highway Administration testified, as did various State highway commissioners, that the provision presently in the law, which requires certification of an opportunity for hearings having been afforded had not hindered the development of highways, but that that provision was rather welcome?

Mr. CASE of South Dakota. That is correct. They spoke very highly of the operation of the provision for public hearings, which is provided in the 1956 act.

Mr. GORE. The Senator's amendment would merely extend this provision to other groups, to give them an opportunity to have public hearings held. Is that correct?

Mr. CASE of South Dakota. The Senator is correct. It is my conviction that this will be an effective provision and will save money. I know of one occasion in my own State of a road being constructed through some ranch country. Had hearings been held, the road would have been located differently, and it would have saved some money for the State and the Federal Government. The amendment would provide an opportunity for the people affected to be heard.

Mr. GORE. I accept the amendment.

The PRESIDING OFFICER. Does the Senator from South Dakota yield back the remainder of his time?

Mr. CASE of South Dakota. I yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator from Tennessee yield back his time?

Mr. GORE. I do.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. CASE].

The amendment was agreed to.

Mr. CASE of South Dakota. Mr. President, I desire to call amendment No. 2 on the sheet I have distributed to Senators.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 24, after line 21, it is proposed to insert the following:

TITLE II. AMENDMENTS TO HIGHWAY REVENUE ACT OF 1956

SEC. 201. Section 209 of the Highway Revenue Act of 1956, entitled "Highway Trust Fund," is amended as follows: In paragraph (c) (1) strike out the subparagraph (C) which reads:

"50 percent of the tax received after June 30, 1957, under section 4061 (a) (1) (tax on trucks, buses, etc.);"

and insert in lieu thereof:

"100 percent of the tax received after June 30, 1957, under section 4061 (a) (1) (tax on trucks, buses, etc.)."

Mr. CASE of South Dakota. Mr. President, I yield myself 5 minutes. At the conclusion of my remarks, unless a Senator desires to speak in opposition, I shall yield back the remainder of my time and withdraw the amendment.

Mr. President, I offer the amendment at this time for the purpose of having in the Record a reference to this problem. This amendment for which, in the unanimous-consent agreement, under which the Senate is operating, an exception was made on the point of germaneness.

The Highway Act of 1956 contains two titles, the first of which is the Highway Act of 1956, and the second, the Revenue Act of 1956. As Senators who are familiar with the legislation know, the Highway Act of 1956 proposed to put the financing of the Interstate System and the ABC routes on a pay-as-you-go basis.

Title II created a highway trust fund, into which were placed certain revenues. It is now evident, with the increased cost of the Interstate System, that those revenues will not put enough money into the highway trust fund to keep the apportionments payable on a current basis without supplementary revenues.

At the same time, there is talk in Congress about a possible reduction in excise taxes. The Highway Revenue Act of 1956 placed in the trust fund 50 percent of the yield from the excise tax on trucks and buses. Should the current talk about a tax reduction result in a reduction of excise taxes, and, in particular, in the excise tax on trucks and buses, obviously the return from that particular excise tax going into the trust fund would be reduced by a proportionate amount.

Should the excise tax on trucks and buses be reduced by 50 percent, the revenue going into the trust fund from that source would be 25 percent of the total revenue.

In view of the fact that the principle of placing in the highway trust fund revenue from the excise tax on trucks and buses was established in the act of 1956, it seems to me that the principle

would not be violated in any degree if 100 percent of that tax revenue were to go into the highway trust fund. If we were to provide for 100 percent of that tax to go into the trust fund, instead of 50 percent, then the trust fund would not be injured in the event the excise tax should be reduced by 50 percent.

I see on the floor of the Senate the distinguished Senator from Michigan [Mr. POTTER] and the distinguished Senator from Virginia, the chairman of the Committee on Finance [Mr. BYRD], and the adviser to the Senate Committee on Finance, Mr. Stam.

I have placed this matter in the Record at this time in order to bring the situation to their attention, so that if an excise tax reduction should be considered by the Committee on Finance during the session of Congress, they will give consideration to what will happen to the highway trust fund in this particular respect.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield to the Senator from Michigan.

Mr. POTTER. I have suggested the removal or a reduction of the excise tax on trucks and buses. Since 50 percent of that tax has been earmarked for the highway trust fund, I have suggested that should the tax be reduced 50 percent, rather than 50 percent of the revenue from such taxes being allocated to the trust fund, the entire 100 percent should be so allocated.

Mr. CASE of South Dakota. That is, 100 percent of the returns.

Mr. POTTER. That is correct. The trust fund would receive the same amount it receives at the present time.

Mr. CASE of South Dakota. That is precisely what is proposed in the language of my amendment although I shall not press. The reason I shall not press it is that, while it is in order under the unanimous-consent agreement, I recognize that it is a revenue measure or an appropriation measure, depending upon one's point of view, and I feel that probably better results would be obtained if, with this notice, the proposal came to the attention of the proper committee of the House of Representatives, where revenue bills originate.

Mr. POTTER. I wish to assure the Senator that no other Member of the Senate is more interested than I am in having the excise tax removed from automobiles and trucks and parts. I concur in the expression of the Senator from South Dakota that the highway trust fund should not be penalized because of a reduction of excise taxes.

If the excise tax on trucks and buses could be reduced, the reduction should be made in such a manner that the trust fund would still receive the same amount of money. In other words, if the tax were cut by 50 percent, the whole 100 percent of the tax should be allocated to the trust fund.

Mr. CASE of South Dakota. I have observed that the distinguished Senator from Michigan appreciates the precise problem which is here presented. I am glad to have his support for the idea as it is presented. The 50 percent of the excise tax on trucks and buses places



in the highway trust fund, I believe, from \$160 million to \$175 million a year. Obviously, a 50-percent reduction in that amount would further weaken the highway trust fund.

Mr. President, unless there is further discussion, I withdraw the amendment and yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from South Dakota yields back the remainder of his time. The amendment is withdrawn.

The bill is open to further amendment.

Mr. YARBOROUGH. Mr. President, I call up my amendment designated 3-25-58-A and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 19, beginning with line 25, it is proposed to strike out all down to and including line 14 on page 20 and to insert in lieu thereof the following:

SEC. 11. (a) Subsections (a) and (b) of section 111 of the Federal-Aid Highway Act of 1956 are amended to read as follows:

"(a) Reimbursement with respect to relocation of publicly and cooperatively owned utilities: Subject to the conditions contained in this section, whenever a State shall pay for the cost of relocation of publicly or cooperatively owned utility facilities necessitated by the construction of a project on the Federal-aid primary or secondary systems or on the Interstate System, including extensions thereof within urban areas, Federal funds may be used to reimburse the State for such cost in the same proportion as Federal funds are expended on the project: *Provided*, That Federal funds shall not be apportioned to the States under this section when the payment to the utility violates the law of the State or violates a legal contract between the utility and the State.

"(b) Reimbursement with respect to relocation of privately owned utilities: Whenever a State under State law is required to pay for all or any part of the cost of relocation of privately owned utility facilities necessitated by the construction of a project on any of the Federal-aid highway systems, Federal funds may be used to reimburse the State for such cost in the same proportion as Federal funds are expended on the project not to exceed 70 percent of such cost which the State is obligated to pay: *Provided*, That such reimbursement shall be made only after evidence satisfactory to him shall have been presented to the Secretary substantiating the fact that the State has paid such cost from its own funds."

Mr. YARBOROUGH. Mr. President, reserving my right to the floor, I request the yeas and nays on the amendment.

The yeas and nays were not ordered.

Mr. YARBOROUGH. Reserving my right to the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The time for the quorum call will come out of the time allotted to the Senator from Texas. Does the Senator from Texas withdraw his request for a quorum call?

Mr. YARBOROUGH. I withdraw my request for a quorum call.

The PRESIDING OFFICER. The Senator from Texas.

Mr. YARBOROUGH. The amendment I have proposed to S. 3414 is to section 11 (a). In effect, it is an amendment to the bill as amended by the Hruska amendment. It provides, in section (a),

that in case there is a relocation of a publicly or cooperatively owned utility facility, the publicly or cooperatively owned utility will be reimbursed for all costs of removal at the same rate as provided in the 1956 law.

Section (b) provides that with respect to privately owned utility facilities reimbursement will be at the rate of 70 percent of the cost of removal, if the State is obligated to pay for it. Under the Hruska amendment, private utilities will be reimbursed up to 90 percent if the State pays the cost. The question is not whether the State is required to pay, but if the State does pay the cost there will be reimbursement.

Under my amendment, private utilities would be reimbursed by the Federal Government only if the State were required to reimburse them.

The occasion for the amendment is this: In 1956 the highway law was amended to provide that if a State paid a utility company for moving its facilities, the Federal Government would bear 90 percent of the cost. After that, there was generally unlicensed brigandage practiced on the fund. The situation grew so alarming that the subcommittee presided over by the junior Senator from Tennessee [Mr. GORE] wrote into the bill which was reported by the committee a provision to stop that practice; not to prevent the private utilities from being reimbursed for their relocating costs, but only if the States had to bear those costs.

What happened? After the 1956 act was passed, it was proposed in a number of States that the State serve as a kind of pipeline to let the private utilities go into the Federal Treasury and draw money out. New laws were proposed in 38 States in 1 year. In only 15 of those States did the proposals become laws. In 6 States such laws were passed, but the State Governors had the courage and the principle to veto them. I shall call the roll of the States which would not put up with the steal which the United States Senate is being asked to swallow.

Twenty-four States—half the States of the Union—within the past 2 years would not stomach what the Senate was asked to stomach last night; 24 States of the Union said, in effect, "No; it is immoral. It is wrong." The legislatures of 18 States said, "We will not pass such a law. We will not permit the private utilities to steal money from the public treasury and put it into their pockets, even though it be only 10 percent."

I call attention to the point raised last night by the senior Senator from Georgia [Mr. RUSSELL], when he said that a mere 10 percent was not enough to require a State to contribute; that Congress ought to stop and consider the question further. He last night pleaded for a 30-percent payment by the States, so that the States would stop and examine and consider what was going on, before they determined that they would pay private utility companies. I call attention now to that plea by the distinguished senior Senator from Georgia.

Eighteen States defeated the suggestion made last year that they be merely the agents to collect money from the

United States Treasury and to give it to the private utilities. I want to read the roll of States whose legislatures rejected such a proposal when it was made by the private utility lobbyists:

Alabama, Arizona, Arkansas, California, Georgia, Indiana, Iowa, Maryland, Michigan, Missouri, New Hampshire, Ohio, Oregon, South Dakota, Vermont, Washington, West Virginia, and Wisconsin.

Several States passed laws to authorize taking the money out of the public treasury and giving it to the private utilities. But in those States, six States whose legislatures passed such bills, the governors said: "No; we will not have such laws." These are the six States, the governors of which, vetoed such bills: Colorado, Kansas, New York, Pennsylvania, Rhode Island, and Wyoming.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. YARBOROUGH. Mr. President, how much time is allotted? Is it 30 minutes to each side?

The PRESIDING OFFICER. The Senator from Texas has 30 minutes.

Mr. YARBOROUGH. How much time has been used?

The PRESIDING OFFICER. The Senator from Texas has used 5 minutes; he has 25 minutes remaining.

Mr. YARBOROUGH. Mr. President, I yield myself 5 minutes more.

The PRESIDING OFFICER. The Senator from Texas is recognized for 5 additional minutes.

Mr. REVERCOMB. Mr. President—

Mr. YARBOROUGH. Mr. President, I yield to the distinguished Senator from West Virginia for a question, but only for a question, since my time is limited.

Mr. REVERCOMB. I thank the Senator from Texas.

In subsection (a) of the amendment of the Senator from Texas—it is the subsection entitled "Reimbursement With Respect to Relocation of Publicly and Cooperatively Owned Utilities"—I notice the following language:

Subject to the conditions contained in this section—

I point out particularly the following language—

whenever a State shall pay for the cost of relocation of publicly or cooperatively owned utility facilities necessitated by the construction of a project on the Federal-aid primary or secondary systems or on the Interstate System,

And so forth. Then I turn to subsection (b) of the Senator's amendment, which is entitled "Reimbursement With Respect to Relocation of Privately Owned Utilities"; and in that subsection I find the following language, which is quite different from the language of subsection (a):

Whenever a State under State law is required to pay for all or any part of the cost of relocation—

And so forth. Would the Senator from Texas consider using in subsection (b) the same language he has used in subsection (a)?

Mr. YARBOROUGH. No. The Senator from West Virginia has pointed out the difference between the two subsec-



tions, and it was my purpose to have that difference exist between the two subsections. The point to which the Senator from West Virginia has referred is the very basis of the difference, which is intentional.

Subsection (a) deals with the payment of governmental tax funds for the cost of relocation of publicly or cooperatively owned utility facilities; whereas subsection (b) deals with reimbursement for the cost of relocation of privately owned utility facilities, facilities of utilities which are organized or incorporated to make a profit, to make money for themselves. I point out that it is not legitimate for privately owned utilities to make money by obtaining it from the Federal Treasury.

Mr. REVERCOMB. Mr. President, will the Senator from Texas yield further to me?

Mr. YARBOROUGH. I yield for a question.

Mr. REVERCOMB. The Senator from Texas well knows that if such reimbursement is not made to a privately owned utility, a new and higher base for the rates it charges the public will be established.

If the language of subsection (b) of the amendment remains as it is, no consideration at all will be given to States which have no law on the subject of payment to such relocation, with the result that the people of those States will be required to pay higher rates for the utility service, based upon the cost of moving the utilities. In that way, favored treatment will be given to the States which have passed laws dealing with such reimbursement or cost of relocation.

Mr. YARBOROUGH. Mr. President, under my amendment a State would have to pay 30 percent of the cost of removal of the facilities of such a privately owned utility. I predict that in a short period of years not many States will dig down into their pockets to pay out 30 percent of that cost.

I point out that this situation developed mainly under the 1956 act, by means of which Uncle Sam was paying 90 percent of the cost.

Mr. REVERCOMB. Mr. President, will the Senator from Texas yield further to me?

Mr. YARBOROUGH. I yield.

Mr. REVERCOMB. If the Senator from Texas leaves the language of subsection (b) of his amendment as it is, there will be a discrimination in favor of States which have laws on the subject of reimbursement for cost of relocation, and a discrimination against States which do not have such laws.

In the case of States which do not have laws on the subject of such reimbursement, the amendment as it now stands would impose on them either the burden of paying practically the entire cost of the relocation of such facilities, without reimbursement; or the utilities would pay the cost and increase their rates to the people; whereas other States would receive reimbursement up to 70 percent of such cost.

Mr. YARBOROUGH. Mr. President, I have no objection to having the Senator from West Virginia argue the point

he has in mind, but he should do so in the time available to those who oppose the amendment.

Inasmuch as only 30 minutes is available to Senators who join me in supporting the amendment, at this time I wish to proceed.

Mr. President, it has been shown that since the 1956 act was passed, 40 States have sought to amend the law. That shows that not more than eight States had such reimbursement provisions or laws at the time when the 1956 act went into effect.

Yesterday evening, in response to questioning by the able junior Senator from Colorado [Mr. CARROLL], it was developed that the cost of these relocations amounted to approximately 3 percent of the entire \$3 billion—in other words, approximately \$30 million. That would be the cost of relocating the service roads and the facilities on the lateral right-of-way. Thirty million dollars is a tremendous amount of money.

The PRESIDING OFFICER. The time the Senator from Texas has yielded to himself has expired.

Mr. YARBOROUGH. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from Texas is recognized for 2 additional minutes.

Mr. YARBOROUGH. Mr. President, if there is an injustice, it is not in the case of the 40 States which do not have such laws. Instead, the injustice is in the case of the eight States which do have such laws. We should not ask the 40 States to pass unjust laws, simply because 8 States have laws which inordinately favor the private utilities. Under those circumstances we should not say that the other 40 States should provide that governmental tax funds should be taken out of the pockets of the taxpayers and should be used for that purpose.

Mr. President, out of whose pockets would such funds be taken? In the case of single persons, they would be taken out of the taxes paid by those who earn \$70 a month or more, and who thus are required to pay income taxes. In the case of married persons who have no children, such tax funds would be taken out of the pockets of childless married couples earning \$125 a month or more—\$125 a month, or \$1,500 a year. Such couples probably are paying income taxes, and therefore the taxes they pay would be used in part to make these payments for the cost of the relocation of the facilities of privately owned utilities.

Should the taxes paid by those persons be used in order to have a State pay to a private utility more than 70 percent of the cost of relocating its facilities?

Of course, if the right-of-way is owned by the utility, then, if such roads are to be built there and if the facilities located on the right-of-way are to be moved, the Government will have to condemn the land. In that case the Government will pay, not only for the land itself, but also for the cost of moving the facilities—every pole, every inch of pipeline which the utility already has constructed on that land—to the new location.

But if the land is owned by the utility, it will have been paid, in the first place, for the cost of establishing or locating its equipment there; such payment will have been received by it by means of rates fixed for the service the utility renders to the public. As I have said, if the utility actually owns that land, and if the land is taken by the Federal Government, to be used for these roads, the utility will be paid 100 cents on the dollar for all the land taken; that payment will be paid under condemnation proceedings, under the right of eminent domain. Under such circumstances, when land privately owned is taken for this governmental purpose, the owner of the land is paid, not only for the value of the land on a square-foot basis, but also for whatever investment he has made in facilities constructed on the land.

In short, full reimbursement will be received by a utility which owns land which is taken for that purpose, and the utility will also receive full reimbursement for the cost of relocating the poles or other facilities it has erected or established on that land.

It is only in the case of utilities which have established their facilities on publicly owned land that a request is being made to have the tax funds which have been obtained from the people used to make these payments.

The PRESIDING OFFICER. The additional time the Senator from Texas has yielded to himself has expired.

Mr. YARBOROUGH. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Texas is recognized for 1 additional minute.

Mr. YARBOROUGH. Mr. President, I have no prejudice against the utilities. We want them to render good service, and we want them to have financial structures adequate to enable them to give the people good service.

But what I object to is a largesse which would come out of the pockets of the taxpayers.

The utilities have had their rate structures based on charges sufficiently high to enable them to make a profit. But they say, "In addition, we want the Government to reach into the pockets of the taxpayers and get some money and give it to us."

Mr. REVERCOMB. Mr. President, will the Senator from Texas yield to me, in my time?

Mr. YARBOROUGH. I yield.

The PRESIDING OFFICER. The Senator from West Virginia will have to obtain time from the Senator from Nebraska.

Mr. REVERCOMB. I have been advised that the time in opposition to the amendment is under the control of the Senator from Tennessee.

The PRESIDING OFFICER. Then does the Senator from Tennessee desire to yield time to the Senator from West Virginia?

Mr. GORE. Mr. President, I yield 3 minutes to the Senator from Texas, in order that he may yield to the Senator from West Virginia.

Mr. YARBOROUGH. Mr. President, I have used a considerable amount of



the time available to those who favor this amendment. I would prefer to have the Senator from West Virginia use some of the time available to the other side.

Mr. GORE. Very well, Mr. President. I yield 3 minutes to the Senator from West Virginia [Mr. REVERCOMB].

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 3 minutes.

Mr. REVERCOMB. Mr. President, let me say that I have no quarrel with the Senator from Texas [Mr. YARBOROUGH] as regards 90 percent reimbursement, or whatever it may be, for the publicly owned utilities and cooperatives, and 70 percent for those whose facilities are privately owned.

But under subsection (b) of the amendment of the Senator from Texas—the subsection which deals with the privately owned utilities, I desire to point out that the subsection would require that there be a State law for such reimbursement, whereas the Senator from Texas knows that some States have no State law on that subject.

Therefore, in those States—including my own, so I am advised—there could be no reimbursement, and thus the cost would be reflected in the rate base of the utility, and consequently the people living in those States would have to pay a higher rate for the cost of removing the facilities, rather than to have it paid in connection with this roadbuilding program, with the result that a rank and raw discrimination would be made in favor of the States which have passed laws on this subject, as against those which have not passed laws on the point.

That is a fault I find with the amendment of the able Senator from Texas. If he could correct that language, I think it would strengthen his amendment very much.

Mr. YARBOROUGH. I should like to point out to the distinguished Senator from West Virginia that last year the legislature of his State considered such a proposed law, but would not enact it. The legislature of his State would not swallow it, but he is asking the Senate of the United States to swallow it.

Mr. REVERCOMB. No; I am asking the Senate of the United States to be fair on the subject. To make the reimbursement apply to all States—otherwise it should apply to none. The amendment would not only make certain States swallow it, but would make those States which wanted to protect their own people swallow something worse; because there would be 70 percent reimbursement for the States that had passed a local law, and not one cent reimbursement for those which had not, with the result that the people of those States would have to pay these higher rates for the cost of relocation.

Mr. YARBOROUGH. A minority of the States have passed such a law. I predict they will repeal them. My State passed such a law. The Governor did not veto it. It was said, "We want it if the Federal Government wants it. Yes, we will let the utilities use us as pipelines if the Federal Government places a condition in the law." Some States have placed a condition in the law that they will collect only if Uncle Sam will be

Santa Claus for the utilities, and that they will not pay it themselves.

Mr. REVERCOMB. Reverting to the fundamental principle, the Senator would penalize those who live in States which have not passed laws for local reimbursement. He would give to the States which passed such laws and I believe he said his own State had passed such a law—

Mr. YARBOROUGH. I point out that my own State—

The PRESIDING OFFICER. The Senator from West Virginia has the floor, unless he desires to yield.

Mr. REVERCOMB. Let me say to the Senator, whatever State is involved, he is trying to say to people of States which have passed such a law, "You will get reimbursement," whereas he is saying to the people of States which have not passed such a law, "The cost of doing this shall be placed in the rate base of the utility, and the people will have to pay for it." That is what I am pointing out.

Mr. YARBOROUGH. I should like again to refer to what was stated by the senior Senator from Georgia [Mr. RUSSELL] last night. If the payments to the States were on the basis of 30 percent, there would not be an effort to pass such a law in 40 States in 1 year.

The PRESIDING OFFICER. The time of the Senator from West Virginia has expired.

Mr. GORE. Mr. President, I yield 5 minutes to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 5 minutes.

Mr. HRUSKA. Mr. President, the issue before the Senate was fully debated yesterday. Earlier today I made a slight correction with respect to the cost of relocation of utilities in the road-building program. It applies only to the Interstate System as it presently exists.

Yesterday it was suggested the cost would be 3 percent of the overall cost, which would be \$1,100,000,000. The fact is that the cost is closer to one percent. One percent of \$37 billion is \$370 million, but not even all of that amount is here involved. The only amount here involved, as the basis for a giveaway, if I may use that term, is 20 percent of \$370 million, or \$74 million, if all the relocation costs are attributable to private utilities, which they are not. So there is not any giveaway of \$1 billion, or anything like it. The sum involved is approximately \$50 million. But even that is a lot of money, and I think we should give some consideration to it, as I shall proceed to do.

Many States did change their laws after the passage of the Highway Act of 1956, but different conditions prevailed after the passage of that law from those which have prevailed theretofore. Let me call the attention of the Senate to the fact that in 1952 \$25 million a year was allowed for the construction of the Interstate Highway System. Now that amount has been raised to \$2 billion, which is an increase of approximately 80 times, or 800 percent. It is one thing for utilities, whether they are publicly owned or privately owned, to put up money for the construction of

an Interstate Highway System at the rate of \$25 million a year. It is another thing to deal with a crash program of \$2 billion, which in 1960 will be \$2.2 billion a year for the same purpose.

In addition to that, the Interstate Highway System, as authorized in 1956, provided for a different type of construction—4, 6, and 8-lane highways, with many cloverleaves—running the cost of relocation of utilities to a sum tremendously higher than it had been theretofore.

I think it is a sound process of reasoning that when different conditions arise they require different solutions. That is precisely what the State legislatures thought, and they changed their method of dealing with the problem locally.

There is also this to be said about payment of relocation of utility costs out of common funds rather than out of funds which would be taken out of the pockets of utility users. In many instances where the Interstate System will entirely miss communities, those communities will be freed of any costs.

The PRESIDING OFFICER. The time of the Senator from Nebraska has expired.

Mr. GORE. Mr. President, I yield to the Senator from Nebraska 5 additional minutes.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 5 additional minutes.

Mr. HRUSKA. On the other hand, cities located on the Interstate System will bear the entire cost. In my home city of Omaha, the cost to move waterlines, gaslines, and powerlines will be \$2½ million. Neighboring cities which are not on the Interstate System will escape scot free from any cost whatsoever, although they will have as full and complete a use of the Interstate System as will the people of my home city. So there is that to be said for the propriety of figuring such costs as a part of the entire overall cost. I say we should ponder that fact again in light of the discussion which we had yesterday, and consider the issue as having been disposed of.

There is only one final suggestion I have to make, and it already has been offered by the Senator from West Virginia. It is not the private utility that pays the bill; it is not the publicly owned utility that pays the bill. They have their boards of directors and their officers, and that sort of thing, but we know that those who pay the bill are the ones who use the particular utility involved, whether it is by telephone, or by turning on a faucet, or by lighting an electric bulb. It is the people who use those facilities who pay the bill.

It might be said that private utilities have a reserve fund for meeting that sort of expense. The reserve fund comes only from the pockets of utility users. If the funds are used, they must be replenished, and they will be replenished from the pockets of utility users.

I shall vote in such a way as to assure that the utility users, the people themselves, shall not be wrongly charged for the improvement and installation of the Interstate Highway System, regardless of



the type of utility which happens to be serving them.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. HRUSKA. I am happy to yield to the Senator from Colorado.

Mr. CARROLL. In our talk last evening I believe we were discussing the same subject matter. I assume we are discussing the same general issue?

Mr. HRUSKA. It is a different aspect, but the same general subject; yes.

Mr. CARROLL. I should like to help make a record on the matter.

Are municipalities included within the provision of the amendment, as to the 90 percent for the cost of relocation?

Mr. HRUSKA. I would think so.

Mr. CARROLL. Are REA's included?

Mr. HRUSKA. Yes.

Mr. CARROLL. Co-ops and all categories of REA's?

Mr. HRUSKA. Does the Senator mean under the bill as it now reads?

Mr. CARROLL. In the language of the bill, as it was amended last night.

Mr. HRUSKA. Surely. As I understand, that is true.

Mr. CARROLL. I observe on page 29 of the report an item relating to what the distinguished Senator from Nebraska explained. The State of Colorado, for example, vetoed a proposal to comply with the Federal-Aid Highway Act of 1956. Six States did so. The States are Colorado, Kansas, New York, Pennsylvania, Rhode Island, and Wyoming. By virtue of the veto, would the States be able to participate in the program?

Mr. HRUSKA. I do not know the nature of the bill or what it provided.

Mr. CARROLL. Mr. President, may I ask the Senator from Nebraska to respond again to the question I asked with reference to the 6 States which vetoed compliance with the legislation? There were 6 States where compliance with this type of legislation was vetoed at the State level in 1957.

Mr. HRUSKA. What is the Senator's question?

Mr. CARROLL. Would those States be able to participate under the language of the bill, if enacted into law, following the terms of the amendment adopted last night?

Mr. HRUSKA. I do not know to what the State law was directed. There are State laws dealing with this subject. If the law which was considered required the State to pay, it would not make any change in the present system, because the present law requires a situation where the State does pay for relocation of utilities, irrespective of a mandatory or obligatory situation stemming from State statute.

If the statute involved was of that nature, it would not make any difference. The claim of the utility for relocation costs would be honored on the basis of simple, equitable principles.

Mr. CARROLL. Let us assume that there is no State law at all concerning the payment for the cost of relocation of private utilities. What would the situation be then?

Mr. HRUSKA. The utility would present its claim to the highway department. The claim would be considered on the basis of equitable prin-

ciples. There would be allowances, and negotiations between the State highway department and the utility. Betterment would be allowed for in the cost of relocation, as would depreciation. A bill would be presented. When the proposal was completed as between the two of them, they would take it to the Bureau of Public Roads. The Bureau of Public Roads would go over it. The Bureau would tentatively approve the bill, the allocation. The Bureau would carefully audit the costs, after the relocation work had been completed, and an allowance would be made as a part of the cost of construction to be participated in by the Federal Government in the same proportion as in the case of sections of cement, rods of steel, or hours of labor.

Mr. CARROLL. What percentage would that be?

Mr. HRUSKA. The proportion would be the same as would apply to the project. If it were a 90 percent project, the allowance would be 90 percent. If it were a 50 percent project, the allowance would be 50 percent.

Mr. CARROLL. In other words, the bill would apply to all States, whether the State had a law or not? Is that the Senator's contention?

Mr. HRUSKA. That is true under the statute as it is presently effective. That is correct, according to my understanding.

Mr. CARROLL. It is with that fact in mind that the Senator presented his amendment last night, to have it clear on the RECORD, so that the pending legislation will be understandable to West Virginia, Colorado, or any other State. The mere fact that some States have passed a law and some States have not passed a law would not deprive any of them from participating under the provisions of the bill?

Mr. HRUSKA. Not if the State complies with the provision of the law, which is that when a State shall pay the costs of relocation reimbursement shall be on that basis. That is true, but the State has to pay the costs.

Mr. CARROLL. I am assuming for the sake of the discussion that the State makes no payment on the cost of relocation.

Mr. HRUSKA. Then the State will not qualify under the law. The law starts out by saying, "When a State shall pay." It says "when a State shall pay." If a State does not pay anything, I do not know why there should be reimbursement. Perhaps the Senator has a different idea as to reimbursement, but there cannot be a reimbursement until there has been a disbursement.

Mr. CARROLL. I understand that fact perfectly. I was thinking in terms of the utilities—either private, public, or REA—which may exist in a State where there is no State law providing for the State to repay the cost of relocation. If a utility had to relocate would payment to the utility be precluded, because the State has no such law? That is the purpose of the question.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield to the Senator from West Virginia.

Mr. CARROLL. Under the language of the bill as it appeared last evening, what would be the situation?

I have raised the point that if the language as used in subsection (b) of the amendment of the Senator from Texas is adopted, States which do not have a specific law upon the subject could never get reimbursement. The result would be that the State certainly would not pay for relocation if it were not going to be reimbursed.

The PRESIDING OFFICER. The time allotted to the Senator from Nebraska has expired.

Mr. CARROLL. Mr. President, will the Senator from Tennessee yield additional time?

Mr. GORE. Mr. President, I yield 1 minute.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 1 additional minute.

Mr. REVERCOMB. I thank the Senator.

In view of the language written into subsection (b), as I understand it, if the amendment of the Senator from Texas should be adopted, the utility users in those States which have no law would be saddled with a higher rate, whereas in those States which had such laws the people would be relieved from having that cost put into the rate base and from the higher rate which would otherwise result. That is the point.

Mr. HRUSKA. The Senator is bringing out again the point I emphasized a while ago. Is it not true that the actual, final cost would be borne by the user of the utility, regardless of its ownership?

Mr. REVERCOMB. That would be true, unless there were reimbursement.

Mr. HRUSKA. Unless there were reimbursement.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the estimated costs to relocate existing electrical facilities in Omaha, Nebr., of the Omaha Public Power District; the estimated costs of relocation of the Metropolitan Utilities District of Omaha; and the supplemental statement of E. C. Yokley, which appears on pages 626 and 627 of the hearings before the subcommittee of the Committee on Public Works relative to the Federal-Aid Highway Act of 1958.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OMAHA PUBLIC POWER DISTRICT,  
Omaha, Nebr., March 21, 1958.

MEMORANDUM TO THE PUBLIC WORKS COMMITTEE OF THE SENATE OF THE UNITED STATES AND ITS SUBCOMMITTEE CONSIDERING AMENDMENTS TO THE FEDERAL-AID HIGHWAY ACT OF 1956—ESTIMATED COSTS TO RELOCATE EXISTING ELECTRICAL FACILITIES IN OMAHA, NEBR., DUE TO CONSTRUCTION OF THE NATIONAL SYSTEM OF INTERSTATE HIGHWAYS, MARCH 1958

The Omaha Public Power District of Omaha, Nebr., a political subdivision of the State of Nebraska, created by the Legislature of the State of Nebraska, serving electrical energy to the following counties, Douglas (including Omaha), all of Sarpy,



parts of Cass, Saunders, Dodge, Colfax, Burt, Washington, and Otoe.

The presently proposed Interstate System of Defense Highways in an area served by the district and necessitating relocation of its facilities are commonly referred to as Routes 1, 3, and 5. Route 1, in the location affecting the district, is at the south side of the city of Omaha, running generally east and west. Route 3 extends from Route 1 at the intersection of 30th and Grover Streets north to Dodge Street, and then north and east to terminate at the Missouri River at the foot of Capitol Avenue. Route 5 runs north from Dodge Street in the western part of the city to the north part of the city and then east to the Missouri River.

We herewith submit the estimated costs associated with the relocation of electrical facilities incident to the construction of these three routes of the Interstate System of Highways. These estimates are based on the present available data relative to location and design of the proposed highways.

Underground system.....	\$605,000
Transmission system.....	33,000
Distribution system.....	484,000
Total.....	1,122,000

The customers of this publicly owned utility having paid their share of the costs of Interstate System Highways, through regular tax channels, should not be called upon to be doubly taxed therefor in the form of additional utility rates to pay these relocation costs. This principle was recognized by the Congress when it enacted what is now section III of the Federal-Aid Highway Act of 1956, which section makes Federal funds available to the States for reimbursement of such costs. The provisions of that section should not be so amended as to diminish the rights of utilities to reimbursement for these relocation costs.

Respectfully submitted,

F. J. MOYLAN, General Manager.

MEMORANDUM TO THE PUBLIC WORKS COMMITTEE OF THE SENATE OF THE UNITED STATES AND ITS SUBCOMMITTEE CONSIDERING AMENDMENTS TO THE FEDERAL-AID HIGHWAY ACT OF 1956

The Metropolitan Utilities District, of Omaha, Nebr., is a municipal corporation created by the State of Nebraska serving gas and water to the city of Omaha and environs in Douglas and Sarpy Counties. The population of the area served is approximately 350,000 persons. The district is governed by a board of 6 directors elected by the residents of the district for terms of 6 years each.

The presently proposed Interstate System Defense Highways in the area served by the district necessitating relocation of its gas and water facilities are commonly referred to as Routes 1, 3, and 5. Route 1, in the location affecting the district, is at the south side of the city, running generally east and west. Route 3, as referred to in this memorandum, extends from Route 1 at the intersection of 30th and Grover Streets north to Dodge Street, and then north and east to terminate at the Missouri River near the foot of Capitol Avenue. Route 5 runs north from Dodge Street in the western part of the city to the north part of the city, and then east to the Missouri River in the vicinity of the water pumping facilities of this district.

We wish to present herewith the costs associated with gas and water facility relocations incident to the construction of these three Interstate System Highways insofar as such construction would be in the area of and affect the facilities of the Metropolitan Utilities District.

Before doing so, however, some assumptions must be indulged since the only basis for calculated costs is the presently available data relative to location and design of the

proposed highways. Also it has been assumed that water and gas facilities will be permitted to cross these highways whenever necessary, and should this right be denied completely or even restricted, additional construction would be necessary beyond that contemplated in the costs hereinafter set forth. It has been assumed that mains undercrossing the Defense Highways will not need to be encased, but should this be required, additional costs would result.

We have endeavored to estimate the additional costs which would result from the inability to occupy marginal streets, if such would ultimately be the fact.

With the foregoing in mind, we submit the following estimated costs of relocating gas and water facilities necessitated by, and as a part of, said presently proposed Interstate Highway construction in and adjacent to Omaha, Nebr.

*Cost of relocating or lowering mains along the route of the highway exclusive of mains in marginal streets for each of the designated proposed Interstate System highways*

	Gas	Water
Route 1.....	\$155,400	\$168,010
Route 3.....	248,872	323,527
Route 5.....	32,650	91,965
Total.....	436,922	583,502

*Additional but corresponding costs of relocating or lowering mains in marginal streets*

	Gas	Water
Route 1.....	\$25,120	\$30,760
Route 3.....	228,660	207,600
Route 5.....	None	None
Total.....	253,780	238,360

Other costs, water: Relocating fire hydrants and abandonments, \$24,000.

Other costs, gas: Relocating regulator stations and abandonments, \$14,000.

*Total estimated cost of relocating or lowering along the route of the 3 highways*

Gas.....	\$450,922
Water.....	607,502
Total.....	1,058,424

*Total estimated cost of relocating and abandoning gas and water facilities along the route of the 3 highways, as well as in marginal streets*

Gas.....	\$704,702
Water.....	845,862
Total.....	1,550,564

The law requires the gas and water utilities accounts be kept separately. The foregoing expenditures applicable to the water utility and those applicable to the gas utility could not be borne by either from current revenues, and therefore public financing would be required. These costs would be in addition to working capital and normal construction requirements.

The district is just completing a 5-year \$14 million water expansion program for which \$12,500,000 of water revenue bonds were issued. The gas utility has likewise been engaged in an expansion program to meet the growth of the community and did, in 1956, issue gas revenue bonds in the amount of \$1,600,000.

The consumers of these publicly owned utilities having paid their share of the costs of Interstate System Highways, should not be called upon to be doubly taxed therefor in the form of additional utility rates to pay these relocation costs. This principle

was recognized by the Congress when it enacted what is now section 111 of the Federal-Aid Highway Act of 1956, which section makes Federal funds available to the States for reimbursement of such costs. The provisions of that section, if justice is to prevail, should not be so amended as to diminish the rights of utilities to reimbursement for these relocation costs.

SUPPLEMENTAL STATEMENT OF E. C. YOKLEY, VICE CHAIRMAN, COMMITTEE ON MUNICIPALLY OWNED UTILITIES, NATIONAL INSTITUTE OF MUNICIPAL LAW OFFICERS, RE S. 3150

Secretary Weeks and Mr. Tallamy when they appeared before the Senate Roads Subcommittee on January 8 and 9, 1958, referred to an increase of approximately \$10 billion since 1956 in the estimates for building the Interstate System. On January 9, 1958, Senator CASE asked Mr. Tallamy to what extent the cost of reimbursing utilities entered into the increase of estimates of the States for completing the Interstate System. Mr. Tallamy replied that the total increase in cost of utilities which also includes certain other costs to which he referred involves a 3-percent increase in costs.

In order to offer some clarification of the amount of utility relocation costs, I would like to call the committee's attention to the statement of John A. Tenbrook for the Edison Electric Institute (hearings before the Committee on Public Works, House of Representatives, on H. R. 4260, 1st sess., 84th Cong., p. 948), Mr. Tenbrook analyzed the study made by the Secretary of Commerce (H. Doc. 127) and found that total utility relocation costs were 2.5 percent of total highway construction costs. He further found that under existing laws and practices in various States two-fifths of this amount was presently reimbursed. Thus the amount of utility relocation costs involved in further provision for reimbursement was about 1.6 percent of total road construction costs. Since 1954, when the study was made by the Secretary of Commerce, the costs involved in relocating utility facilities, has not, according to any information I have been able to obtain, increased substantially. The \$10 billion increase in the estimates of cost of constructing the Interstate System caused by increased costs of rights-of-way acquisition and other increased costs should not be considered as reflecting a similar increase in costs of utility relocation. In other words, if 1.6 percent of the total cost of constructing the Interstate System in 1956 represented additional utility relocation costs, the present amount of these costs should be less than 1.6 percent in fact not much over 1 percent.

Mr. GORE. Mr. President, I yield myself 5 minutes.

This has been a vexatious issue since I have been a member of the Senate Committee on Public Works. We have attempted to deal with it repeatedly, but insofar as I am concerned we have never dealt with it satisfactorily.

I supported the provision contained in the law in 1956. As the junior Senator from Texas has said so ably today, certain States and interests have demonstrated a willingness to try—and with some success—to take advantage of the Federal Government under the provisions of the law.

The subcommittee made a recommendation this time which it hoped would remedy that situation. I was prepared last evening to support the amendment which was proposed, even raising the figure to 80 percent; but I learned that during my absence from the floor it had



been raised to 90 percent. I joined the junior Senator from Colorado and voted against the amendment.

I believe that the amendment, as modified, would improve existing law, because, as the junior Senator from Nebraska has stated, he incorporated in his amendment, which the Senate adopted, a provision which requires, as a prerequisite to reimbursement by the Federal Government, the actual payment by the States of the cost of removal.

The junior Senator from Colorado raises a question about payment, and what would happen in the event a State did not have a law requiring it to pay. I submit that a State could not pay such costs unless it could do so lawfully. I can see that there might be an area in which a State might be legally authorized to do so, but not legally required to do so. But in no event could I conceive of a State making a payment for the cost of removal of the utilities unless it was authorized by law to do so.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CARROLL. That raises a very important question, I believe. I use my own State as an example. I invite attention to page 30 of the report which indicates that in 1957, the Colorado legislature passed a law in an attempt to meet the conditions of the Federal Aid Highway Act of 1956, but it was vetoed.

The question then arises, the State having no responsibility to repay such costs, to whom would the utility look to recover its costs? Take for example a private utility, a public utility, or an REA which may have relocation costs caused by a project of the Interstate Highway program. Where will it seek to recover its costs?

This raises the question as to whether or not the utility may use the State, under the provisions of the bill, as a conduit to present its claim and receive reimbursement under the Federal Aid Highway System.

Mr. GORE. I do not believe that could possibly occur, in view of the amendment adopted last night.

Mr. CARROLL. Does the Senator mean that the State could receive payment?

Mr. GORE. I do not believe the State could receive payment unless it had paid such costs. As I understand, the provision is for reimbursement to the States for payments which the States have made.

Mr. HRUSKA. That is the plain language of the statute. It says "Whenever the State shall pay."

Mr. CARROLL. Mr. President, I commend the distinguished junior Senator from Texas [Mr. YARBOROUGH] for raising this point. It is raised a little obliquely, it is true, but as I read the report, only 16 of the 48 States have laws which obligate them to pay relocation costs. Is it true therefore 32 States may not be able to participate in the program unless there is enabling legislation? Is that a fair analysis?

Mr. GORE. In that connection, I point out that it has long been the practice of the Bureau of Public Roads to

reimburse the States for the Federal pro rata share of the cost of removing utilities in the case of States which paid such costs. There has never been a time, so far as I am advised, when all States were reimbursed, or when no States were reimbursed.

This is an unsatisfactory situation. I began by saying that this is an unhappy situation. It is a compromise situation. I have not found any way to deal with it satisfactorily.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CARROLL. Let me say to the distinguished junior Senator from Tennessee that these remarks are only for the purpose of making a RECORD. The questions are intended to be constructive, and in no way critical.

Mr. GORE. I understand.

Mr. CARROLL. I think the question which arises is very important to every State which does not have enabling legislation. I am confident that the distinguished junior Senator from Tennessee and the committee will bring this question to the attention of the other body, and that it will receive full examination. If we need enabling legislation in Colorado, we want to know it. The same situation applies to the other 31 States I have mentioned. We should be able to draft provisions to give the necessary protection. Certainly it is not the intent of the committee or of the Senate to say that either private utilities, public utilities, municipally-owned utilities, or REA cooperatives, shall not receive full consideration under the program.

Mr. GORE. I would prefer, even now, the provision recommended by the subcommittee; but I do not see how I could accept an amendment to reimburse States to the extent of 90 percent in the case of cooperatives, and only 70 percent in the case of privately owned utilities.

The Senator knows my predilections in the field of public power, if a choice must be made, but I do not believe that I could accept an amendment which would discriminate in that manner. As I see it, the Senate should fix the rate at 90, 80, 70, or 50 percent, and it should be equally applicable to all types of utilities.

Mr. CARROLL. I think the Senator misconceived the purpose of my suggestion. It was not in relation to the pending amendment, the so-called YARBOROUGH amendment. I am speaking generally with respect to the amendment which was adopted last night, and its relation to the other provisions of the bill. We have already done that job.

The question now is presented a little differently. I am thinking about the provisions of the bill, and its application to 32 States.

Mr. GORE. The entire question will be in conference. The able Senator has made a fine contribution, and I am sure that all the conferees will profit by his contribution, and will undertake to improve on that which we have done. I hold that that which was done last night was an improvement over the present law.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. GORE. I yield to the distinguished Senator from South Dakota.

Mr. CASE of South Dakota. I concur pretty well with what the able Senator from Tennessee, the chairman of the subcommittee, has said. I merely call attention to the fact that the present law contains a definition of "utility." That definition was not disturbed by what was done last night.

I refer to subparagraph (b) of section 111 of the act of 1956, which reads as follows:

(b) Utility defined. For the purposes of this section, the term "utility" shall include publicly, privately, and cooperatively owned utilities.

The law makes no distinction. It treats them all alike. The question of whether or not a State's utilities are left out is a decision to be made by the State, and not by the Federal Government. The amendment offered by the Senator from Texas would not change that situation. He does not contend that the Federal Government should say to the State, "We will pay willy-nilly, whether the State pays or not."

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired. All time in opposition to the amendment is exhausted.

The Senator from Texas [Mr. YARBOROUGH] has 17 minutes remaining.

Mr. CARROLL. Mr. President, will the Senator from Texas yield me 2 minutes?

Mr. YARBOROUGH. I yield 2 minutes to the Senator from Colorado.

Mr. CARROLL. Mr. President, I wish to commend the distinguished junior Senator from Texas for a very forthright presentation of a proposal which could be of great benefit to about 32 States. It is true that the amendment goes a little beyond what we had previously discussed, but it has been very helpful to the junior Senator from Colorado. I wish to say to the junior Senator from Texas, whether his amendment prevails or not, he has rendered a great service in the debate, and it will be helpful not only to Colorado but to the 32 States of which I have spoken. I therefore desire to congratulate him for his splendid presentation.

Mr. YARBOROUGH. I thank the distinguished Senator from Colorado. He has added a great deal to the debate by the incisive questions he asked last night and today.

Last night, in response to questioning by the distinguished junior Senator from Colorado, certain estimates were given. The estimate was given that 3 percent of the cost of the \$30 billion Interstate Highway network would be used up in the cost of utility relocation. The distinguished Senator from Nebraska [Mr. HRUSKA] stated that estimate was in error, and he put into the RECORD the statement of Mr. Yokley, at pages 626 and 627 of the hearings, on the Federal-Aid Highway Act of 1958. Mr. Yokley stated, in the supplementary statement filed by him:

In other words, if 1.6 percent of the total cost of constructing the Interstate System



in 1956 represented additional utility relocation costs, the present amount of these costs should be less than 1.6 percent—in fact, not much over 1 percent.

I do not know how he could say that the percentage would go down with prices rising, but the distinguished Senator from Nebraska placed that statement in the RECORD.

Even if we took the minimum figure of 1 percent, on a \$30 billion program, we would be paying out \$300 million to relocate public utilities.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. HRUSKA. The Senator from Texas is perfectly willing that of the \$300 million there be at least a minimum of 70 percent paid to privately owned utilities and a minimum of 90 percent paid to those which are publicly owned. We are not talking about \$300 million. We are talking about the difference between what is in the Senator's amendment and what is in the present statute. Therefore it is \$60 million. That is a little different than the \$1 billion which was suggested yesterday.

Mr. YARBOROUGH. It would be \$240 million under my amendment and \$300 million under the amendment of the distinguished Senator from Nebraska. I say that we should at least save the \$60 million. Therefore I say let us adopt my amendment and save \$60 million.

Mr. HRUSKA. We would not save \$60 million, because a part of it would go to the publicly owned utilities. Therein lies the difference.

Mr. YARBOROUGH. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Texas has 13 minutes remaining.

Mr. DOUGLAS. Mr. President, will the Senator yield me 4 minutes?

Mr. YARBOROUGH. I yield 4 minutes to the distinguished Senator from Illinois.

Mr. DOUGLAS. I wish to congratulate the distinguished Senator from Texas on his amendment. It has real importance for my own State of Illinois. Illinois is one of the 16 States which have passed State laws authorizing reimbursement for relocation costs. Ours is a permissive law, permitting the State highway authority discretion in providing reimbursement on the relocation of the utilities. In Chicago there is a public transit authority which owns the rapid transit system of the city. It will be subjected to great additional expense because of the Interstate Highway System. We also have in Chicago a sanitary district, which will be subjected to additional expenses. The city also distributes its own water supplies. Therefore there will also be an expense in connection with water mains.

I should like to ask the distinguished Senator from Texas this question. On page 46 of the report there are comparative columns dealing with the existing law and the substitute language in the so-called Gore bill.

Am I correct in understanding that the existing law would provide for re-

imbursement on the approximate basis of 90 percent on the Interstate System?

Mr. YARBOROUGH. The distinguished Senator from Illinois is correct.

Mr. DOUGLAS. The Senator from Texas is continuing this 90 percent reimbursement provision so far as the municipally owned and REA utilities are concerned?

Mr. YARBOROUGH. The Senator is correct; by the amendment, yes.

Mr. DOUGLAS. The only application he is making of the amendment, which is proposed by the Senator from Tennessee [Mr. GORE], for the 70 percent reimbursement, is in the case of private utilities. Is that correct?

Mr. YARBOROUGH. That is correct. I confess that I can claim no originality with my amendment. The amendment is made up of either existing law or the Gore amendment.

Subsection (a) is taken verbatim from existing law. It applies it to public utilities. Subsection (b) applies the Gore amendment to privately owned utilities.

Mr. DOUGLAS. So far as the Chicago Transit Authority and other publicly and cooperatively owned utilities in Illinois are concerned, the Senator from Texas is proposing a 90 percent reimbursement for all costs connected with the Interstate System. Is that correct?

Mr. YARBOROUGH. That is correct. The amendment, if adopted, would provide for 90 percent reimbursement for all publicly owned utilities and all cooperatively owned utilities.

Mr. DOUGLAS. I congratulate the Senator. I shall vote for his amendment.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. NEUBERGER. I should like to ask the Senator a few questions, if I may. To begin with, I should like to commend him for sponsoring his proposal and to say that I am inclined to favor it. With that introduction, I should like to say that there are several aspects of the situation which trouble me a little. The suggestion that there be a great amount of Federal reimbursement for a comparatively small rural electric cooperative which serves farmers at the end of the line has genuine merit. However, what disturbs me, candidly, is that there are some small privately owned utility companies, or comparatively small. I am wondering aloud, and I know that the Senator from Texas has a valid answer, as he has in connection with anything he sponsors. Here is what perplexes me a little bit:

Is it wholly fair to provide only 70 percent Federal reimbursement to a comparatively small private utility and 90 percent Federal reimbursement to a huge municipally owned utility such as the Los Angeles Power & Light Co., which serves millions of people and has great assets and a farflung distribution system? That is the only thing that bothers me to some degree about the proposal, and I should like to ask the Senator from Texas for his answer.

Mr. YARBOROUGH. I thank the Senator from Oregon for his question,

because it brings up a point which should be clarified. In the case of the municipally owned utilities, it must be remembered that those utilities are owned by the people. They are not created for profit; they are not private businesses. They declare no dividends. They generally lose money, and the municipalities must tax the people in order to provide additional revenue.

The private utility, the Senator has mentioned, is a company which has been formed for the purpose of making a profit, and it has a special status because it is guaranteed the right to a fair return in its rate structure, to take care of losses. However, I do not agree with the distinguished Senator from Nebraska [Mr. HRUSKA] that the amendment would increase the rates, because in my opinion the small cities and towns affected will be the cities and towns of the future. They will grow up in the future just as in the past cities grew up along navigable rivers. Where there were no navigable rivers, the people built systems of canals. That is where the cities of the past thrived.

When the railroads were built, the canals dried up, the locks fell apart, and towns became ghost towns. The cities and towns that had depended on river navigation died, except those that deepened the channels in their rivers.

Even today towns located along railroads are dying, because the transportation now is transportation along our highway systems. New cities and new towns are growing up along our highways. They are great interior cities. They are cities like Indianapolis and Dallas. City after city is growing up along our great highway systems.

There will be a great increase in their business, and they will continue to grow. We are building the greatest transportation system on earth, and cities will grow up along our highways just as the great cities grew up along the grand canal in China when that country became the greatest empire in history, along with the Roman Empire.

So I think my amendment is fair. I propose nothing which will be unfair to the private utilities. This is not an antiutility amendment. It is a protect-the-taxpayers amendment. It is not against somebody. The private utilities are saying, "Give us a larger share." If they are legally entitled to payment under the State laws, and if the State pays them, they will get 70 percent, which is a pretty generous contribution when they are not owed anything. If they are owed anything, they will get compensation in a condemnation suit. If they own poles on their land, they will be paid for them dollar for dollar. They will not lose one red cent. Only those who have been operating on public land, on public roads, or public streets will not receive anything, because they have been operating on public land.

Mr. NEUBERGER. I thank the Senator from Texas for his observations. I could not agree with him more on that point. It is my general belief that the figure of 70 percent of reimbursement to private utilities is a fair amount. I am



a member of the subcommittee which considered the bill. When the bill was originally considered, if I am not mistaken, provision was contained in the bill for a 50-percent reimbursement. I think it was on my motion that the amount was increased to 70 percent, and that that amount then was adopted and was contained in the bill which was reported to the Senate.

I ask the distinguished chairman of the subcommittee if I am not correct.

Mr. GORE. I believe the Senator from Oregon is referring to an amendment I offered, to which he offered an amendment in the bill as originally introduced.

Mr. NEUBERGER. That is correct. I offered an amendment to make the reimbursement 70 percent, and that figure was maintained and was accepted by the Committee on Public Works. Is that correct or incorrect?

Mr. GORE. I cannot quite trust my memory in that regard.

Mr. NEUBERGER. I am reminded by a staff member that a bill was offered as an amendment by the Senator from South Dakota [Mr. CASE], which suggested a 50-percent reimbursement by the Federal Government to the utilities which had relocated their facilities. I believe that it was on my motion in the committee that the amount was increased to 70 percent. This seemed a more fair ratio.

Mr. YARBOROUGH. Mr. President, I have only 3½ minutes remaining. I thank the Senator from Oregon for his question.

Mr. NEUBERGER. I thank the Senator from Texas for his answer.

Mr. YARBOROUGH. I commend the Senator from Tennessee and the Senator from Oregon for their work on the subcommittee and on the Committee on Public Works, which reported the bill. I think they reported a good provision. I have incorporated it into the section which I seek to have written into the bill. The committee reported a good bill, and I commend them for so doing. Without their work, we would not have a bill of this kind before the Senate.

Mr. GORE. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. GORE. I appreciate the generosity and kind remarks and kind comments of the Senator from Texas, as does, I am certain, the Senator from Oregon, for whom I shall presume to speak in this regard.

The junior Senator from Texas is entitled to commendation for what he did. I believe it was largely as a result of his efforts and those of the junior Senator from Colorado and the junior Senator from South Dakota that the amendment which was adopted last evening was beneficially modified.

If the Senator from Texas would be willing to rest this matter with the committee of conference, his suggestions, his contributions, and the language of his amendment will be before the conference, and I shall be grateful for his contributions.

Mr. YARBOROUGH. Is the Senator from Tennessee suggesting that if the amendment be withdrawn now and not pressed to a vote, he will take this posi-

tion to the committee of conference and state it there?

Mr. GORE. I will take the point of view of the able Senator from Texas to the committee of conference and will present it.

Mr. YARBOROUGH. I thank the Senator from Tennessee.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. YARBOROUGH. I think I have 2 minutes left. Is that correct?

The PRESIDING OFFICER. The Senator has a minute and a half remaining.

Mr. YARBOROUGH. I desire to make a statement, since a question has been raised, about the status of the laws in the various States at present. It has been mentioned that 16 States have passed laws providing for reimbursement. This information will be found on pages 28 and 29 of the committee report.

Of the 16 States which have passed laws, in only 1 State is reimbursement made to the private utilities on all State-maintained projects.

Of the other 15 of those States, 5 States reimburse the utilities if the projects are Federal aid projects. Five States reimburse the utilities if Uncle Sam will give them the money.

Ten more States reimburse the utilities only on the Interstate System.

Ten States have passed special laws as giveaways so as to get something for the utilities out of the \$30 billion fund.

Six States provide for reimbursement, 5 of them on all Federal projects. Only one State will reimburse the utilities on State projects if Uncle Sam is not paying the cost.

Thirty-two States will not reimburse the utilities even if Uncle Sam is putting up the money. They include Nebraska, which rejected the proposal last year; and Colorado, whose Governor, Mr. McNichols is to be commended for vetoing the bill.

Mr. President, this is not an anti-utility proposal; it is a be-fair-to-the-taxpayers proposal.

The State of New York is not an anti-utility State. New York considered and passed a law saying, in effect, "We will make reimbursement only to a municipal utility."

There is a fair distinction between private utilities and municipal utilities. Municipal utilities are branches of the government—the people's government. Private utilities operate for profit.

Mr. President, before yielding back the remainder of my time, I ask unanimous consent to have printed at this point in the RECORD four telegrams I have received from municipalities which seek the relief provided in the amendment for municipalities.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

AUSTIN, TEX., March 25, 1958.

Senator RALPH YARBOROUGH,  
Senate Office Building,  
Washington, D. C.:

The League of Texas Municipalities representing 580 cities and towns protests

strongly to section 11 (a) of amendments to the Federal Highway Act of 1956. This legislation will vitally affect 129 Texas cities and towns located on the Interstate System. Such an amendment relative to reimbursement of utility relocation will place an immediate financial burden on local publicly owned utilities and will produce unnecessary delays in the highway program since these cities are not in a position to accept the tremendous financial obligation involved, and neither in fact should be so expected.

A. P. MILLER, Jr.,

President, League of Texas Municipalities.

SULPHUR SPRINGS, TEX., March 25, 1958.

Senator RALPH YARBOROUGH,  
Washington, D. C.:

Amendment to the Federal-Aid Highway Act of 1956 could cause many municipal handicaps with special reference to expense of moving utilities. Section 11, subsection (a) availability of Federal funds for reimbursement to States has us worried. Please protect the cities in Texas that will be affected by this bill.

JOE DAN AVINGER,

Mayor.

SEGUIN, TEX., March 25, 1958.

Senator RALPH YARBOROUGH,  
United States Senate,  
Washington, D. C.:

Relative to amendments to the Federal Highway Act of 1956, I would like to solicit your support in legislation that would give financial aid to cities which are compelled to relocate their utility lines in event a highway is constructed which would cause the removal of these lines.

The city of Seguin as well as many other cities in Texas own and operate their electric, water, and sewer facilities and due to the tremendous financial burden that we might have to share in this program we earnestly solicit your valuable help in authorizing the Federal Government to participate in the expense of the removal and relocation of these utility lines.

Congratulating you on the splendid work you are doing, I am, as ever, your friend.

ROGER W.,

Mayor, City of Seguin, Tex.

GREENVILLE, TEX., March 25, 1958.

Hon. RALPH YARBOROUGH,  
United States Senate,  
Washington, D. C.:

Urgently request that section 11a of amendment to Federal Highway Act of 1956 be disapproved. The passage of this amendment will cost Greenville citizens several million dollars in the immediate future on utility moves.

GUY L. MCGRAW,

City Manager.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent also that the portion of the report on the bill which begins with the last paragraph on page 27 and continues through page 29, concerning the status of the reimbursement laws in the States, be printed at this point in the RECORD.

There being no objection, the excerpt from the report (No. 1407) was ordered to be printed in the RECORD, as follows:

The committee has had the problem of reimbursement to the States for relocation of utility facilities under consideration for several years. Federal-aid funds are available for participation in the cost of highway rights-of-way, and when it becomes necessary to acquire property for this purpose from utilities, Federal-aid funds are used to participate to the same extent as if the property were owned by a private individual. If the cost of relocating utility facilities is found to be a proper measure of just com-



compensation for property rights taken for the right-of-way of a Federal-aid highway, Federal-aid funds participate in such costs. There remains the question, however, whether Federal-aid funds should be used to participate in the cost of relocating utility facilities where no vested property right is taken, and the utility is not entitled to compensation under State law. Where the utilities occupy the highway rights-of-way as a privilege and have acquired no vested interest in the rights-of-way, most States formerly required the utilities to bear the cost of relocating their facilities when such relocation was necessary to permit highway improvement.

Since the enactment of the Federal-Aid Highway Act of 1956, which increased the Federal share of the cost of constructing the Interstate System to 90 percent, and up to 95 percent in some public land States, and expressly authorized the use of Federal-aid funds for reimbursement of the cost of relocating utility facilities, significant action has been taken in many State legislatures. During 1956 and 1957, legislation which would provide for payment by the State of the cost of relocating public-utility facilities was considered by the legislative assemblies in 40 States. Such legislation was passed in 22 States, but was vetoed in 6 States, so it became law in 16 States. Under these 16 State laws only 1 State will pay the cost of relocating utility facilities on all State-maintained highways, 5 relate to all Federal-aid projects, and 10 relate to the projects on the Interstate System only, where the Federal share of the cost is at least 90 percent.

The committee did not contemplate this drastic change in existing practices when the 1956 act was enacted, and realizes that the use of Federal funds for reimbursement to the States for this purpose will increase substantially, thereby reducing the amount of Federal funds available for construction of highways.

The committee recommends an amendment to section 111 of the Federal-Aid Highway Act of 1956, to authorize the Secretary of Commerce to reimburse a State from Federal funds for the cost of relocation of utility facilities necessitated by construction of a project on any of the Federal-aid highway systems, whenever a State under State laws is required to pay for all or any part of such cost. Federal funds shall be used for such reimbursement in the same proportion as such funds are expended on the project, not to exceed 70 percent of such cost which the State is obligated to pay. Such reimbursement would be made only after presentation of satisfactory evidence to the Secretary of Commerce that the State has paid such cost from its own funds. These amended provisions would only apply to Federal-aid highway projects covered by formal project agreements executed by the Secretary subsequent to the date of enactment of this act.

Under this proposed amendment, it was the intent of the committee that reimbursement to the States from Federal funds for utility relocations would be made only on the basis of State funds actually expended for such purposes, and not for funds paid, advanced, donated, or contributed, by or from any other source.

A summary of State legislative action with respect to the authorization of utility relocation costs is as follows:

In all, 40 States have considered legislation which would provide for payment by the State of the cost of relocating utility facilities during the 1956 and 1957 sessions. Of these, 39 were considered during the past year. Massachusetts enacted its reimbursement statute in 1956.

During the 1957 session:

(a) Such proposals were favorably considered in 21 legislatures; 15 became law—Connecticut, Delaware, Florida, Idaho, Illi-

nois, Maine, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, Tennessee, Texas, and Utah; while 6 were vetoed—Colorado, Kansas, New York, Pennsylvania, Rhode Island, and Wyoming.

(b) In 18 legislatures, such measures were either defeated, withdrawn, or not acted on: Alabama, Arizona, Arkansas, California, Georgia, Indiana, Iowa, Maryland, Michigan, Missouri, New Hampshire, Ohio, Oregon, South Dakota, Vermont, Washington, West Virginia, and Wisconsin.

(c) The legislatures of Kentucky, Mississippi, and Virginia did not meet during 1957, while no measures of this type were introduced in Louisiana (budget session only), Nevada, New Jersey, North Carolina, and South Carolina. In addition, studies of the problem of utility relocation and its cost were authorized in Arkansas, Michigan, and Minnesota. New York and Washington adopted laws which limited reimbursement to municipally owned facilities. Of all the measures proposed, regardless of final disposition, 38 related either to all Federal-aid highway projects or the Interstate System alone, while only those in California and Connecticut related to all State highways. Of the 16 relocation laws passed—

(1) Ten relate only to projects on the Interstate System—Delaware, Florida, Illinois, Maine, Minnesota, Nebraska, North Dakota, Oklahoma, Tennessee, and Texas. Five relate to all Federal-aid projects—Idaho, Massachusetts, Montana, New Mexico, and Utah. One relates to all State maintained highways—Connecticut.

(2) The laws of Massachusetts and Illinois give the highway authorities discretion in the matter of whether or not the utilities should be paid for relocating facilities.

(3) Nebraska and North Dakota specifically made reimbursement subject to existing contracts between the utilities and the State or local governments.

While only New Mexico and Texas provided that existing contracts are not a bar to payment, it is apparent from the language of the laws of the other 12 States that such contracts are not an obstacle to reimbursement. (Minnesota is now in the process of rewriting its existing utility contracts on this point.)

Mr. YARBOROUGH. Mr. President, in view of the statement of the chairman of the Subcommittee on Public Roads of the Committee on Public Works, if the amendment is withdrawn will the position of the junior Senator from Texas be stated in an unprejudiced way to the committee of conference of the two Houses?

Mr. GORE. It will be stated possibly with a little favor.

Mr. YARBOROUGH. Then, in the light of the statement of the distinguished chairman of the subcommittee, I withdraw the amendment and withdraw the request for the yeas and nays.

The PRESIDING OFFICER. The amendment is withdrawn, and the request for the yeas and nays is withdrawn.

Mr. COOPER. Mr. President, I call up my amendment designated "3-25-58-F" and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 7, line 1, after the word "shall," it is proposed to insert a comma and the following: "except as provided in section 2 of this act."

On page 7, line 6, after the word "shall," insert a comma and the following: "except as provided in section 2 of this act."

On page 8, beginning with line 20, strike out all down to and including line 13 on page 9, and insert in lieu thereof the following:

SEC. 2. (a) Immediate apportionment of \$400 million of the Federal-aid primary, secondary, and urban authorization for 1960: Immediately upon enactment of this act \$400 million of the sum authorized by section 1 of this act to be appropriated for the fiscal year ending June 30, 1960, shall be apportioned among the several States in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838).

On page 9, lines 14 and 15, strike out "authorized to be appropriated in section 2 (a) herein" and insert in lieu thereof "required to be apportioned by section 2 (a)."

On page 11, beginning with line 21, strike out all over to and including line 4 on page 12, and insert in lieu thereof the following:

(h) It is hereby declared to be the intent of the Congress in the enactment of this section to make funds available for expenditure on the Federal-aid primary or secondary systems, including extensions of these systems within urban areas, for the purpose of immediate acceleration of the rate of highway construction on these systems.

Mr. PAYNE. Mr. President, will the Senator from Kentucky yield, so that I may suggest the absence of a quorum?

Mr. COOPER. I yield.

Mr. PAYNE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The time for the quorum call will be charged to the time of the Senator from Kentucky.

Mr. COOPER. That is all right.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PAYNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HOBLITZELL in the chair). Without objection, it is so ordered.

Mr. COOPER. Mr. President—

Mr. KERR. Mr. President, will the Senator from Kentucky yield to me?

Mr. COOPER. For what purpose?

Mr. KERR. In order that I may ask unanimous consent to have read an amendment which has been agreed to by the members of the committee present, and to see whether the amendment can be unanimously agreed to by the Senate. If not, we shall wait until the amendment of the Senator from Kentucky has been acted on.

Mr. COOPER. Mr. President, I ask unanimous consent that I may yield for that purpose, and that the time required shall not be charged to the time available to me, in connection with my amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. KERR. Mr. President, I send the amendment to the desk, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.



The CHIEF CLERK. On page 9, in line 18, it is proposed to change the period to a comma and to insert the following: "subject to delays caused by circumstances and conditions beyond the control of, and without the fault of, any contractor on such contracts, and delays created by acts of God."

Mr. CASE of South Dakota. Mr. President, will the Senator from Oklahoma yield to me?

Mr. KERR. I yield.

Mr. CASE of South Dakota. Mr. President, the Senator from Oklahoma has conferred with me about the amendment. I believe the amendment is a good one, and should be included in the bill.

Mr. KERR. I thank the Senator from South Dakota.

Mr. President, I have submitted the amendment to the Senator from Pennsylvania [Mr. MARTIN], the Senator from New Hampshire [Mr. COTTON], the Senator from Tennessee [Mr. GORE], and the Senator from South Dakota [Mr. CASE]; and the amendment has their approval.

Mr. President, I ask unanimous consent that the amendment be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Oklahoma. Is there objection to the request of the Senator from Oklahoma? The Chair hears none. Without objection, the amendment is agreed to.

Mr. KERR. Mr. President, I thank the Senator from Kentucky for his courtesy.

Mr. COOPER. I have been glad to cooperate with the Senator from Oklahoma.

Mr. President, I had hoped that a larger number of Senators would be present at this time, because my amendment, if adopted, would materially alter the bill—in fact, perhaps more so than any other amendment which has been proposed, other than the amendment dealing with billboards.

I wish to have the Senators who are present understand the purpose of my amendment.

Section 1 of the pending bill provides the usual and normal authorizations for appropriations for the next biennial period: Section 1 provides that for fiscal year 1960, \$900 million shall be authorized for appropriation; and for 1961, \$900 million. As Senators well know, that is the usual manner of making appropriation authorizations in advance, for the next biennium.

Section 2 of the bill provides that a new and special appropriation shall be authorized for the fiscal year 1959, namely, \$400 million.

The Highway Act of 1956 authorized the appropriation of \$875 million for fiscal year 1959. The pending bill would authorize the appropriation of an additional \$400 million.

I point out to the Senate something which has hardly been mentioned during the debate, namely, that the \$400 million authorized by section 2, would not be paid from the trust fund established by the Highway Act of 1956. Instead, it will be paid from the general revenues of the Treasury—which means that in

1959 the budget will be increased by \$400 million.

Mr. COTTON. Mr. President, will the Senator from Kentucky yield to me?

Mr. COOPER. I yield.

Mr. COTTON. In response to the point the Senator from Kentucky has made, let me say that 2 days ago, on the floor of the Senate, I interrogated the Senator from Tennessee [Mr. GORE]. It was my understanding—and I was the one who proposed the \$400 million provision—that what the Senator from Kentucky has just stated is absolutely correct, namely, that the payment was to be made out of the general funds of the Treasury, and not out of the trust fund. But in our colloquy with the other members of the committee on the floor, the day before yesterday, that was not the general understanding of the members of the committee.

I have not been able to find in the bill, as it has come to the floor, any provision to indicate that this payment would not be a charge on the trust funds, instead of on the general funds of the Treasury.

Mr. COOPER. The funds which are authorized in section 1 for appropriation for the biennial period are required by the 1956 act to be paid from the trust fund.

The hearings show that a deficit is now anticipated in the trust fund; that is admitted. Yesterday evening, the distinguished senior Senator from Virginia [Mr. BYRD] stated that he would vote against the bill, because there would be a deficit in the trust fund, and because a large part of the appropriations being authorized by this bill must be paid out of the general revenues.

I have also talked about this matter with officials of the Bureau of Public Roads. I can say to the junior Senator from New Hampshire that there is no question that the funds that would be appropriated as a result of the special authorization of \$400 million, which is to be added to the existing authorization of \$875 million, must be paid from the general funds of the Treasury.

Mr. COTTON. Mr. President, I appreciate that assurance, because that was the intent. I talked with representatives of the Bureau of Public Roads, but I was not assured on that point. I had prepared an amendment to make sure that the funds would come from the moneys in the Treasury not otherwise appropriated.

But if the Senator from Kentucky has settled that point, that amendment will not be necessary. So I thank the Senator from Kentucky.

Mr. COOPER. Mr. President, I understand that the committee included the special authorization for an additional \$400 million appropriation in order to increase the letting of new contracts in the States on the ABC systems, and thus to stimulate employment, and the use of construction materials and equipment.

I assume that the committee's reason for adding \$400 million to the authorization of \$875 million for fiscal year 1959 was to make the bill an antirecession measure.

I will agree that highway construction is one of the best and surest methods of stimulating employment throughout the States and in every section of the States, and I approve that purpose. But I say that in this case, the provision of an additional \$400 million is not necessary.

I give my reasons. My amendment would strike out that part of section 2 which would authorize a new appropriation of \$400 million, but it would not leave the question of stimulating employment unanswered. Because, as a substitute for the special appropriation of \$400 million, my amendment would advance for immediate apportionment to the States \$400 million from the new authorization of \$900 million for fiscal year 1960.

Instead of appropriating \$400 million of new money, my amendment, if it should be adopted, would simply advance the expenditure of \$400 million of the 1960 authorization, which would be made in the ordinary course of providing funds for the highway system in the next biennial period.

We know that after July 1 the entire \$900 million can be apportioned, and must be apportioned before December 1958. All my amendment would do would be to advance the apportionment of \$400 million of the total sum by a few months. It would serve exactly the same purpose as a special appropriation. The identical amount of money could be apportioned to the States under both the committee bill and my amendment. Each would provide funds for the same amount of new contracts, and each would put the same number of men to work. The only difference is this: The committee provision adds \$400 million to the fiscal year 1959 budget; my provision does not add a penny.

Mr. COTTON. Mr. President, will the Senator yield for a question?

Mr. COOPER. Yes.

Mr. COTTON. In the bill \$400 million is provided, of course, as the Senator has stated, as a special fund, which, if it were not used by any State, would revert to the Treasury, and would not in any way interfere with the 50-50 funds of the 2 succeeding years. The point about the Senator's amendment I should like to be sure of in my mind is this. If, under his amendment, State X is unable, or for some reason does not see its way clear, to make use of the advanced funds on a 70-30 basis, so the funds are not used in the time specified and in the manner specified, does that State lose that amount of money on the 50-50 basis in the succeeding year, or can the funds be taken in the succeeding year on a 50-50 basis?

Mr. COOPER. My amendment would not change in any way the other provisions in the committee bill. It would maintain the 70-30 matching basis so far as the \$400 million is concerned. It would maintain the special appropriation of \$115 million in Federal funds to the States to help them match. It would maintain the requirement that the \$400 million advance must be obligated in the time provided in the committee bill. It would not interfere with the



full use of the \$900 million authorized for fiscal year 1960, except to advance \$400 million for immediate apportionment.

I should like to make it clear that all my amendment does is simply reduce the spending provided in the bill by \$400 million, without in any way affecting the acceleration of highway work.

Mr. COTTON. I fear I did not make myself quite plain. That is exactly what disturbs me, because if the Senator's amendment leaves unchanged the present provision in the bill then any portion of the \$400 million which is not used, or the use of which is not availed of by the States, will lapse. I believe the Senator's amendment means that the States should use the \$400 million in advance, and if they do not use it, for any reason, they may lose it the succeeding year. Is that correct?

Mr. COOPER. No; the States would not lose the money at all. It simply means that if the States obligate the full apportionment from the \$400 million that would be advanced in my proposal, within the time of obligation provided in the committee amendment, then they enjoy the 70-30 matching basis. If they do not, they go back to the 50-50 matching basis at the end of that period, for the unobligated amounts of the \$400 million advance.

Mr. COTTON. I hope the Senator will forgive me if I seem unduly insistent. I direct the Senator's attention to page 9 of the bill, lines 18 through 21. It refers to the special \$400 million now provided in the bill, and reads:

Any amounts apportioned to a State under provisions of this section remaining unexpended as above provided on December 1, 1958, shall lapse.

If the Senator's amendment means that if the States can and do avail themselves of the 70-30 ratio, and obligate themselves and use it, they get it, and if they cannot so use it, the States are still entitled to the 50-50 matching basis in the succeeding year, so that they will not lose any of the regular appropriation, that is one thing; but if it means the States must draw the funds in advance and obligate them and spend them, and if they do not do so the funds are taken away from them in the succeeding years, on the 50-50 basis, then I think it ought to be corrected.

Mr. COOPER. I understand the point the Senator has raised. If my amendment should be adopted, and \$400 million of the \$900 million for fiscal year 1960 should be advanced for apportionment, and then a portion of that fund should not be obligated by a State, the Senator's question is, Would the unobligated funds be lost forever, or would they revert to the 1960 authorization?

Mr. COTTON. On a 50-50 basis.

Mr. COOPER. The Senator has raised a proper question. If the Senator has any doubt about it—although I do not—line 21 on page 9 could be amended by inserting, in place of the words "shall lapse," the words "shall be apportioned in the way provided in section 1."

Mr. COTTON. I think that would be a distinct improvement.

Mr. COOPER. Mr. President, I offer that as a perfecting amendment on page 9, line 21, to strike out the words "shall lapse" and insert in lieu thereof the words "shall be apportioned according to section 1."

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. CASE of South Dakota. In the first place, may I say I doubt that the money would lapse.

Mr. COOPER. I do not believe it would lapse.

Mr. CASE of South Dakota. I thought the Senator's amendment would provide for the elimination of subsection (d) and make the money available in the regular 50-50 proportion rather than on a 70-30 basis.

If the Senator leaves the subsection (d) in the bill, which provides for a 70 percent contribution by the Federal Government with respect to this amount of money, and also leaves in the authorization for an advance carried in subsection (e) I doubt that any of the money would be unobligated by the first of December, 1958. With the modification put in as to December 1, 1959, I doubt that any money would fail to be expended by that time.

I think the modification the Senator now seeks to make could be properly handled simply by striking out the last sentence in subsection (d). After all, if the Senator's amendment is adopted, the money will be apportioned to the States.

Mr. COOPER. That is correct.

Mr. CASE of South Dakota. If the Senator merely required it to be contracted for by the first of December, 1958, that would accomplish the purpose of getting the work under contract. Why should the second sentence be there at all?

Mr. COTTON. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. CASE of South Dakota. There would be involved a forcing back to the general fund, to reapportion the money to the same State.

Mr. COTTON. Mr. President, if the Senator will yield further, without losing his right to the floor, let me say I agree with both the Senator from Kentucky and the Senator from South Dakota that little, if any, of the funds would lapse, because the States of course would have the incentive of obtaining funds on a 70-30 basis instead of a 50-50 basis.

That such would happen is by no means beyond the realm of possibility in the case we are considering. My amendment to the bill would provide an additional sum which could be used, and used at once, or which would go into the Treasury if not used. In this case the money would be handled a little differently. There would be a difference between using it at once on a 70-30 basis or letting it remain for another year, when it could be used on a 50-50 basis.

There are States which have quite a problem as to matching the Federal funds, particularly when the legislatures are not in session and funds are perhaps tight.

I cannot see how such a provision in the bill could do harm. In fact, it certainly could not do any harm. If the language represents poor workmanship or poor draftsmanship, it can be adjusted in the committee of conference. I cannot see how such a provision could do harm. I think we can improve the provision by stating it in plain language:

Any amounts apportioned to a State under provisions of this section—

If the amendment of the Senator from Kentucky is adopted—

remaining unexpended as above provided on December 1, 1958, shall be available in the next year—

Or however it may be desired to phrase it—  
on the regular 50-50 basis.

Then it would be in such form that "he that runs may read."

Then the States would have the option of speeding up the work on a 70-30 basis, or getting funds later on a 50-50 basis. I think that is rather important.

Mr. COOPER. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 15 minutes remaining.

Mr. COOPER. If the Senator will permit, I should like to complete my statement.

Mr. CASE of South Dakota. May I complete my comment on that matter?

Mr. COOPER. Certainly.

Mr. CASE of South Dakota. I think the Senator's suggestion, specifying that funds shall remain with a State but be available after a certain date for use on the regular 50-50 basis, is constructive. The money should be available for the normal period of any apportionment on a 50-50 basis.

Mr. COOPER. Mr. President, there is no point in continuing a long discussion of this matter. I am perfectly conscious and appreciative of the tremendous amount of work the committee has done on the bill, and of the merits of the bill which has been reported.

But I repeat, that in the debate, which has continued for 3 days, there has been hardly any notice of the fact that the committee bill provides for an increase in the Federal budget for fiscal year 1959 of \$400 million for the ABC system, and I think without need. It is obvious, as I have said, that the purpose of adding \$400 million was to combat the recession—to put people to work. Yet, in the same bill another appropriation of \$900 million is authorized which will become available after July 1.

My proposal is simple: To strike the \$400 million of new appropriations from section 1 and to substitute in its place \$400 million of the regular authorization of \$900 million, which would in any case be apportioned after July 1. It would simply mean that \$400 million would be immediately apportioned, the States could immediately begin to make contracts, and men could be put to work. The effect would be exactly the same, so far as putting people to work is concerned, as the use of the special appropriation of \$400 million.



The only difference between the proposal of the committee in section 2, and my amendment, is that my amendment would not add new obligations to the Federal Treasury. The committee proposal would add \$400 million of new expenditures.

I shall address myself to a second point and then close. The bill has other implications. For the past 2 months we have talked about nothing in this Chamber except recession. I do not say that in criticism, but rather in approval, because we are all concerned about the recession and men and women who are out of work. However, until consideration of the pending bill, our action has been limited to accelerating work under existing appropriations.

A few days ago we adopted two resolutions which had been submitted by the distinguished majority leader, the Senator from Texas [Mr. JOHNSON]. What was the theme of those resolutions? It was to express the sense of the Congress that public works expenditures and defense expenditures should be accelerated, from appropriations which had been previously made.

The housing bill dealt with loans rather than with new appropriations.

Likewise, the administration program thus far has been concerned with accelerating the expenditure of funds which have already been appropriated.

But in the pending bill we are embarking upon a public works program and making available new and additional appropriations, above the level of ordinary appropriations. I do not say that this should not be done if public works are to be the choice of the Congress, to meet the recession. But in the next few weeks we may be required to come to grips with the issue of whether we shall embark on a greatly expanded public works program, or whether to cut taxes.

One question which I raise is whether without considering our future course and choice, we should provide this special appropriation of \$400 million, before it is actually needed.

I have not heard my proposal challenged. I have talked with officials of the Bureau of Public Roads about it. It would perform exactly the same function as the special appropriation of \$400 million.

I have talked with members of the committee. They do not question that my amendment would meet exactly the same purpose as the committee proposed.

I have presented my amendment in the belief that we can properly strike \$400 million from the bill. Later, if it should become necessary to appropriate additional funds, of course, the Congress could provide them. It seems to me that it is unnecessary to appropriate the additional \$400 million at this time.

Mr. KERR. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. KERR. Does not the Senator feel that the appropriation of the additional money provided for in the bill now before the Senate would not only have a beneficial effect in stepping up

employment, but would have a wholesale and good psychological effect?

Mr. COOPER. I wholly agree that the \$400 million special appropriation, in the committee bill would permit the States to enter into new contracts, and put people to work. I do not deny that fact. What I am saying is that my proposal, which would advance the apportionment of \$400 million of the \$900 million authorized in the bill, would have exactly the same effect. The only difference between the two proposals is that one involves an additional charge on the Treasury of \$400 million, and my amendment would not add an additional penny to the obligations of the Treasury.

Mr. KERR. Is there the slightest doubt in the mind of the Senator from Kentucky that if his amendment were to be adopted and become law, either later this year or early next year the Congress would replace, in the 1960 apportionment, the \$400 million which would be taken out of it by the Senator's amendment?

Mr. COOPER. That might be done. But it would not affect the total charge on the budget over a period of 2 years.

Mr. KERR. Does not this money come out of the trust fund?

Mr. COOPER. It comes out of the trust fund.

Mr. KERR. Does that affect the budget?

Mr. COOPER. No; that would not affect the budget.

Mr. KERR. Does not the Senator feel that psychologically the States would get the impression that, on the one hand, we were advancing them \$400 million to speed up construction and to provide employment for constructive purposes, and, on the other hand, taking it away from them, so that realistically they would then have to reduce their plans for the fiscal year 1960 accordingly?

Mr. COOPER. I do not believe so. As the Senator knows, in section 1 of the bill there is an authorization of \$900 million, to be apportioned to the States.

Mr. KERR. When?

Mr. COOPER. It could be apportioned after July 1.

Mr. KERR. For what fiscal year?

Mr. COOPER. For the fiscal year 1960.

Mr. KERR. But if the Senator's amendment were adopted, \$900 million could not be apportioned after July 1, for 1960.

Mr. COOPER. The remainder, \$500 million, could be apportioned.

Mr. KERR. That is correct.

Mr. COOPER. But the \$400 million which could be apportioned now, and the \$500 million to be apportioned after July 1, equal \$900 million, exactly the same sum as though the total apportionment of it had been postponed until after July 1.

Mr. KERR. But it is not the same as \$400 million for 1959 and \$900 million for 1960.

Mr. COOPER. The Senator has put his finger on the important point. What the committee has done has been to decide that it wished to add \$400 million of new appropriations for the fiscal year

1959. The committee has decided that it wishes to spend that additional sum. Of course, that is a valid decision so far as the committee is concerned. What I am saying is that it would not add any more to immediate employment than the solution I have proposed.

Mr. KERR. Is not the Senator aware of the fact that, so far as immediate employment is concerned, employment for 1958 would be affected by the apportionment which would be available to the highway departments beginning on July 1, 1958?

Mr. COOPER. They would have \$900 million, under section 1, which they could apportion.

Mr. KERR. But they would not have that if the Senator's amendment were adopted.

Mr. COOPER. Certainly they would. They would have \$400 million, which could be apportioned before July 1, and \$500 million to be apportioned after July 1.

Mr. KERR. I hope the Senator will withdraw his amendment. I feel that there is general agreement among Senators that the committee bill, so far as the stepped-up construction program authorized in it is concerned, should be approved; and I sincerely urge the distinguished Senator from Kentucky to withdraw his amendment.

Mr. COOPER. I appreciate the Senator's position, but I am serious in the proposal I make. In my view the committee is calling for the expenditure of \$400 million when I do not think it is required at this time. If it is required later, it can be authorized.

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. FLANDERS. Let me say to the Senator from Kentucky that I am one of those who do not feel disposed, at the beginning of this period, when we do not know whether to be optimistic or pessimistic, to assume that in the fiscal year 1959 we shall be compelled to make additional appropriations. We shall be able to make that decision when we return after the first of the year, if conditions warrant it. I do not wish to add my prediction that we shall have to do it after the first of the year. So I am much in favor of the amendment offered by the Senator from Kentucky.

Mr. KERR. Mr. President, I yield 5 minutes to the Senator from New Hampshire [Mr. COTTON].

Mr. COTTON. Mr. President, I invite the attention of Senators to the fact that the provision of an additional \$400 million in the bill, to be apportioned to the States for use without restriction by the usual formulas pertaining to primary, secondary, and urban roads, to be used immediately on projects which will be completed in the near future, is the very essence of the bill.

It was my position in the committee that I did not like to see \$1¼ billion dollars put into the Interstate System at this time. I happen to believe that we are a bit dazzled by this great Interstate System.

One thing is certain, and that is that putting extra money into the Interstate



System would not have any immediate effect or impact on our economy. I regret that that was done, and that the amendment of the distinguished Senator from Virginia was not adopted last night. I cannot help but feel that retaining in the bill the \$1¼ billion of extra money to accelerate construction of the Interstate System, and then impairing the use of the \$400 million for the ABC roads, is straining at a gnat and swallowing a camel.

This money goes into the system where it will have an immediate impact. The highway commissioner of my State informed me that he could use this money and have the work begin within 2 months after the passage of the bill. It goes out into the States and can be channeled into the spots where it is most needed.

There is less money used in buying rights-of-way and less money used in engineering and in planning and in preparing, and more money goes into employment and into roads, in the ABC system than in the Interstate System by far.

That is one point in this bill that is important. I have steadfastly been against pump priming. I agree with the remarks of the distinguished Senator from Vermont. We certainly should not rush headlong into any pump-priming projects. However, if there is one spot where the plans are all made and are no longer on the drawing boards, but ready to go, and where the money will have an immediate impact and put men to work on jobs that are not wasted, but in building the most necessary thing in this country, it is in the building of the ABC roads by the States.

I am not greatly upset by the amendment offered by the able Senator from Kentucky. He has in mind all the things I have just said. To a certain extent his amendment would effectuate the same thing. However, the fact remains that just as sure as we are sitting in this chamber today, when next year comes along and the States have used up a part of their apportionment on the very necessary ABC road projects, they will come to us, and we will give them back what we have taken or had them borrow in advance on this special program.

That being the case, it would seem to me, having put into the Interstate System—by borrowing from the trust fund and borrowing \$2 million of outside money from the Treasury—all this money, which cannot possibly have an effect for all this time, the program of the additional \$400 million is a reasonable and sensible one, and it should not be impaired—although it would not be ruined or seriously harmed—by watering it down and saying to the States, "You may borrow this money and use it now and take it out of your next year's apportionment." It is highly essential that the highway departments of the various States find the money. They can find it if they really want to. It is highly essential that they find the money and start work now, not sometime next year. That is all written in the bill.

If there is one place in the whole economy where I am ready to concede that

the situation we are facing now makes it profitable and sensible to have some speedy work added to our present program, it is in the ABC highways of the various States.

For these reasons, I hope the amendment will not be adopted and that the provision as set forth in the bill will remain in it. I repeat, however, that in a measure the amendment of the Senator from Kentucky is not aimed to defeat this purpose, but I think it weakens the purpose.

Mr. KERR. Mr. President, I yield 5 minutes to the distinguished Senator from Tennessee.

Mr. GORE. Mr. President, the bill before the Senate contains one important amendment which was suggested by the able senior Senator from Kentucky. He appeared before the committee and testified. That is the provision which moves back from December 31, to July 1 the time for making apportionments of funds authorized for fiscal 1960. The committee agreed unanimously that this should be done.

I should like to say also that the distinguished senior Senator from Kentucky, in a letter to the Public Roads Subcommittee, suggested the necessity of accelerating immediately improvements to our primary and secondary roads.

The only difference between the provisions of the committee bill and the proposal of the distinguished and able senior Senator from Kentucky is that the committee recommends an additional apportionment for 1959, where as the senior Senator from Kentucky recommends that \$400 million of the regular apportionment for fiscal 1960 be used in fiscal 1959. Both would bring about the same amount of improvement and acceleration in fiscal 1959, but the difficulty of it, as I see it, is that we are now also providing for the regular apportionments for fiscal 1960 and 1961. Indeed, there is pending before the Senate a bill which the House of Representatives has already passed, to provide for the biennial apportionment for 1960 and 1961.

If we adopt the amendment, which would strip our regular programs for 1960, our committee would have to meet almost immediately and report another bill to provide for the 1960 apportionment. Our States, our counties, and our highway departments are geared to the regular highway program for which we have made regular authorizations and apportionments.

The pending bill contains the regular biennial apportionment and authorization, and it is the purpose of the chairman of the subcommittee to ask unanimous consent to substitute the pending bill for the House bill, thus placing into conference the accelerated program and the regular annual apportionments.

The senior Senator from Kentucky seeks primarily the same goal which the committee seeks. However, we do not feel that we can disrupt the regular program in order to provide for acceleration now. I believe our States would seriously object to it. I am sure they would prefer not to disrupt their regular program, and perhaps they would prefer no accel-

eration at all, if such acceleration were provided at the expense of the regular program for fiscal 1960.

I hope the Senator from Kentucky will accede to the unanimous view of the subcommittee, as I believe it to be, that we do not disrupt the regular programs for 1960 and 1961.

Mr. COOPER. Mr. President, before yielding back the remainder of my time, I should like to say to the Senator from Tennessee that when he was describing the purpose of my amendment, I was reminded of the young lawyer before the Supreme Court. When the Chief Justice finally took up his case and described the issues, the young lawyer said to the Chief Justice that the Justice had stated the case almost as well as he could.

The Senator from Tennessee has stated the case fairly. There is no distinction between the committee proposal and my proposal, except that mine would save the Federal Government \$400 million. My proposal would have the same effect upon putting men to work at this time.

As the Senator from Tennessee has said, since this sum will be apportioned by July 1, anyway, it simply would mean that the amount would be apportioned 3 months earlier.

So I do not think it would have much effect upon the next biennial program of road construction. But that is the issue, and the Senate can vote on it.

Mr. KERR. I yield myself 3 minutes.

Mr. President, I sincerely regret to have to disagree with the Senator from Kentucky. He was mistaken, though, in my judgment, when he said the amendment would have no effect upon the 1960-61 program. As the Senator from Tennessee pointed out, Congress traditionally and historically passes a highway construction bill each biennium, and they pass it for the biennium.

In both the House bill now before the Senate and in the committee bill which is before the Senate, provision is made for the regular highway construction work for the biennium.

The amendment of the Senator from Kentucky would take \$400 million out of the program for the biennium; then, if the bill were passed, it would serve notice on the States that while they can step up their program immediately to the extent of \$400 million, they would be on notice that in preparing for their program for the biennium, the program would have to be on a basis of \$400 million less than that provided for in either the House bill or the committee bill, and on the basis of \$375 million less than the regular apportionment for the fiscal year 1959.

So I again urge the distinguished Senator from Kentucky to withdraw his amendment.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield back the remainder of his time?

Mr. KERR. If the Senator from Kentucky will yield back the remainder of his time, I will yield back mine.

The PRESIDING OFFICER. The Senator from Kentucky has indicated that he would yield back his time. Does the Senator from Oklahoma yield back his time?



Mr. KERR. I do.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kentucky [Mr. COOPER].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. CARLSON. Mr. President, I call up my amendment designated "3-25-58-E." I ask unanimous consent that the amendment be printed at this point in the RECORD, without being read.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARLSON's amendment is as follows:

At the proper place insert the following:

That the Federal-Aid Highway Act of 1956 is amended by adding immediately following section 113 the following new section: "SEC. 113A. Increased mileage for Interstate System.

"In the case of any State having a toll road, bridge, or tunnel which is approved by the Secretary as a part of the Interstate System under section 113 (a) of this act before June 30, 1958, the Secretary shall, upon application by the State, designate as part of the Interstate System other routes within such State which are equal in mileage to the length of all such toll roads, bridges, and tunnels within such State."

SEC. 2. Section 108 (1) of the Federal-Aid Highway Act of 1956 is amended to read as follows:

"(1) Increase in mileage: Section 7 of the Federal-Aid Highway Act of 1944 (58 Stat. 838), relating to the Interstate System, is hereby amended by striking out '41,000 miles' and inserting in lieu thereof '41,000 plus the total of all amounts designated as part of the Interstate System under section 113A of the Federal-Aid Highway Act of 1956: *Provided*, That the cost of completing any mileage authorized by this subsection in excess of 40,000 miles shall be included in making the estimates of cost for completing the Interstate System as provided in subsection (d) of this section."

Mr. CARLSON. Mr. President, the purpose of the amendment is to grant each State having a toll road on the Interstate System an equivalent mileage to be designated as a part of the Interstate System, and thus to be eligible for 90-percent Federal aid.

The Federal Highway Act of 1956 changed the matching provisions with regard to the Interstate Highway System by increasing the Federal share of the cost of any such project to 90 percent, the remaining 10 percent to be paid by the States. Because of the incorporation into the Interstate System of State-financed toll roads, the States in which such roads are located are losing a large percentage of Federal aid for interstate mileage to which they would be entitled.

The practical effect of the amendment would be to add 2,254 miles to the Interstate System in 26 States. Twenty-six States at present have a certain mileage in toll roads. Kansas happens to have the third largest mileage of toll roads in the Nation. New York is first, and Pennsylvania is second.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table showing the mileage of toll road facilities approved by the Secre-

tary of Commerce as a part of the Interstate System.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Mileage of toll facilities approved by the Secretary of Commerce as part of the Interstate System under sec. 113 (a) of the Federal-Aid Highway Act of 1956*

State:	Mileage <sup>1</sup>
California.....	1.0
Connecticut.....	98.0
Delaware.....	4.1
Florida.....	42.5
Georgia.....	.8
Illinois.....	152.5
Indiana.....	156.9
Iowa.....	3.3
Kansas.....	186.6
Kentucky.....	40.2
Maine.....	60.1
Maryland.....	11.0
Massachusetts.....	123.0
Michigan.....	5.0
Missouri.....	4.8
Nebraska.....	.3
New Hampshire.....	13.9
New Jersey.....	49.9
New York.....	518.0
Ohio.....	174.5
Oklahoma.....	175.0
Oregon.....	.9
Pennsylvania.....	359.0
Texas.....	29.6
Virginia.....	43.6
West Virginia.....	.3
Total.....	2,254.8

<sup>1</sup> Mileage taken from Bureau of Public Roads release of August 21, 1957, and from table A-1a, p. 12 of Secretary of Commerce report of January 7, 1958 (H. Doc. 301, 85th Cong., 2d sess.)

Mr. CARLSON. Unless some provision is made to compensate the States which had the vision and foresight to construct these roads to assist in handling the ever-increasing volume of traffic, they will not receive their fair share of the funds voted by Congress for the construction of the Interstate System as approved by Congress in the Federal Highway Act of 1956.

Let us consider, for example, Kansas. What will happen to that State? First, on the almost 190 miles of highway which has been designated as a part of the Interstate System tolls are paid by those who travel a large part of the Interstate System in Kansas. This means, of course, that the motorist will be riding free on the Interstate System in adjoining States—Oklahoma and Missouri, for instance—while he will be paying toll charges when traveling in the State of Kansas on the Kansas Interstate System. Not only will he be paying tolls for traveling on the Kansas road, but he will also be paying a tax to build free roads in other States.

Furthermore, the citizens of Kansas who ride on the Interstate System and pay tolls to the State will have an additional burden to bear.

Second, unless there is some provision whereby an adjustment may be made for the mileage of roads which have previously been constructed on a toll basis, Kansas will not receive its proportionate share of the taxes collected for the construction of the Interstate System.

Mr. President, I was not on the floor on Tuesday of this week when a colloquy occurred between the distinguished Senator from Tennessee [Mr. GORE], the distinguished Senator from Pennsylvania [Mr. MARTIN], and the distinguished Senator from Connecticut [Mr. BUSH] in regard to the compensation to States which face the problem of toll roads in the Interstate System.

For the RECORD, I wish to read the comment by the distinguished Senator from Tennessee [Mr. GORE], as it appears on page 4671 of the CONGRESSIONAL RECORD for Tuesday, March 25:

Mr. GORE. I can say in all candor to the able Senator from Connecticut that in our discussion in the subcommittee there was general recognition of the equities involved, and the report so states. Since the request of the able Senator from Connecticut is joined in by the ranking minority member of the committee, who served with distinction as chairman of the committee, I will say that hearings will be held whether the administration submits a recommendation or not.

As I understand from the distinguished Senator from Tennessee and from the Senator from Pennsylvania, hearings will be held by the Senate Committee on Public Works, with a view to bringing about, if possible, an adjustment of some of these inequities.

Mr. GORE. Mr. President, will the Senator from Kansas yield to me?

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Does the Senator from Kansas yield to the Senator from Tennessee?

Mr. CARLSON. I am happy to yield.

Mr. GORE. From the record, the Senator from Kansas will notice that the request of the distinguished Senator from Connecticut [Mr. BUSH], which was joined in by the distinguished Senator from Pennsylvania [Mr. MARTIN], was that the hearing be held after the governors' conference has reported on this subject. The distinguished senior Senator from Connecticut [Mr. BUSH] indicated that that report would be made rather early.

In view of this colloquy and this request, I hope it will be agreeable to the distinguished Senator from Kansas that the hearing await the report by the governors' conference and, if possible, the report and recommendation of the administration on this point.

Mr. CARLSON. I appreciate very much the statement the distinguished Senator from Tennessee has made.

Mr. President, it is not my intention to press today for adoption of the amendment.

In Kansas and in 26 other States which have toll roads, this problem exists.

Mr. GORE. Mr. President, I shall go a step further: If the report from the governors' conference and the recommendation from the administration will be forthcoming, or if either will be forthcoming, within a reasonable time, we shall wait until then. If not, a hearing will be held in any event, before this session is over.

Mr. CARLSON. Mr. President, that is a very definite statement, and, of



course, it is the only kind of statement the Senator from Tennessee makes. I appreciate very much his statement.

Mr. SCHOEPPEL. Mr. President, will my colleague yield to me?

Mr. CARLSON. I yield.

Mr. SCHOEPPEL. I appreciate my colleague's courtesy in yielding to me.

Mr. President, I desire to commend my colleague for pointing out, as other Senators have pointed out for the RECORD, the situation existing in the States which have toll roads.

As has been so ably pointed out by my junior colleague from Kansas [Mr. CARLSON], certain inequities certainly will inure to the States which have these toll roads; and as my colleague has pointed out, the situation is one which we should deal with in equity and in good conscience.

So I desire to commend the junior Senator from Kansas [Mr. CARLSON]. I also desire to commend the Senator from Connecticut, who has just given assurances to the junior Senator from Kansas and to our State.

Mr. CARLSON. Mr. President, I wish to join my colleague, the senior Senator from Kansas [Mr. SCHOEPPEL], in pointing out that this problem exists in our State, and our State is concerned with it.

When 190 miles of toll road have already been built, and when they meet all the specifications for as modern a road as can be built, then we do have a problem. I believe that our State and other States in a similar situation are entitled to some aid, if possible.

Mr. CASE of South Dakota. Mr. President, will the Senator from Kansas yield to me?

Mr. CARLSON. I yield.

Mr. CASE of South Dakota. Mr. President, the Senator from Kansas has presented a problem which concerns any Member of the Senate who has served on the Roads Subcommittee of the Public Works Committee. We recognize that before we finish dealing with the Interstate System problems, something should be done in regard to the toll roads, in the case of the States in which toll roads have been constructed.

Of course, the question applies, not only to toll roads, but also to other roads of the primary system which have been incorporated into the Interstate System to the extent that they meet the standards of the Interstate System.

The problem is a perplexing one.

I would not contend that at the present time it is handled in a manner which is entirely satisfactory. Something should be done. But these studies are under way, both by the Bureau of Public Roads and by the governors' conference.

We also have the problem of trying to construct the maximum number of miles of road with the funds available. We recognize that, in that connection, there is a tendency to use roads already constructed.

But certainly the States in which toll roads have been constructed are entitled to a special hearing on that subject. So I was glad to hear the Senator from Kansas raise the question in the reasonable way in which he has raised it

this afternoon; and I was also glad to hear the distinguished chairman of the Subcommittee on Roads [Mr. GORE] assure the Senator from Kansas that hearings would be held as soon as the reports are available—or sooner, if they are not received before the end of the session.

Mr. CARLSON. Mr. President, in line with what the senior Senator from Kansas has said, I wish to state that I realize this problem exists not only in the case of the States in which toll roads have been constructed, but also in the case of all the States which are affected by the Interstate System.

With this assurance by the able chairman of the Roads Subcommittee [Mr. GORE], I believe that something will be done to do justice and equity in the case of these States.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator from Kansas yield to me?

Mr. CARLSON. I yield.

Mr. MARTIN of Pennsylvania. Mr. President, undoubtedly Congress itself will have to solve this problem, for it is a most difficult one.

As the distinguished Senator from South Dakota has stated, the problem relates not only to toll roads, but also to other roads which meet the specifications.

I believe Pennsylvania is second in the number of miles of toll roads. In addition, Pennsylvania has at least 100 miles of roads which have been incorporated or included in the Interstate System, and which meet the specifications.

I believe we are fortunate in having the distinguished junior Senator from Tennessee [Mr. GORE] and the distinguished junior Senator from South Dakota [Mr. CASE]—one, a member of the Democratic Party; the other, a member of the Republican Party; and both of whom serve on the Subcommittee on Roads and both of whom are very much interested in this matter—make these statements this afternoon. I am glad they have brought up the matter again.

However, I believe that in the long run the Congress itself will have to solve this problem, because it will be very difficult for the executive agency and the governors to arrive at a solution which will be agreeable and satisfactory to everyone. So probably in the long run the Congress will have to take the responsibility.

Mr. CARLSON. Mr. President, I appreciate very much the statement which has been made by the Senator from Pennsylvania, whose State is second in the number of miles of toll roads. In that respect, the order is as follows: New York, first; Pennsylvania, second; and Kansas, third.

I am glad to leave this matter in the able hands of the distinguished chairman of the subcommittee [Mr. GORE].

Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The Senator from Kansas has withdrawn his amendment.

Mr. CASE of South Dakota. Mr. President, I offer the amendment which is

identified as No. 1 on the mimeographed sheet which I now send to the desk.

The PRESIDING OFFICER. The amendment submitted by the Senator from South Dakota will be stated.

The CHIEF CLERK. On page 10, it is proposed to strike out subsection (d), in lines 4 to 15, inclusive, as follows:

(d) The Federal share payable on account of any project provided for by funds made available under the provisions of this section shall be increased to 70 percent of the total cost thereof plus, in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 percent of the total area of all lands therein, a percentage of the remaining 30 percent of such cost equal to the percentage that the area of such lands in such State is of its total area: *Provided*, That such Federal share payable on any project in any State shall not exceed 95 percent of the total cost of such project.

Mr. CASE of South Dakota. Mr. President, so far as I know, this is the last amendment to be offered to the pending bill.

This amendment raises a simple, clear-cut issue. I do not intend to use the entire 30 minutes available to me to explain the amendment or to defend it. In a very few minutes I shall be able to explain it and to state what it will do.

However, Mr. President, I believe that a quorum should be present in advance of the taking of the vote on the question of the final passage of the bill.

Therefore, Mr. President, at this time I ask unanimous consent that there may be a quorum call, and that the time required for it not be charged to the time available to either side, under the unanimous consent agreement. Thereafter, I shall explain the amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CASE of South Dakota. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASE of South Dakota. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 5 minutes.

Mr. CASE of South Dakota. The pending amendment proposes to strike from the bill subparagraph (d), on page 10. This is the paragraph which would establish a special privilege for the \$400 million emergency fund for the ABC roads. The bill, as I think all Senators are now aware, carries a special provision authorizing \$400 million for the so-called ABC roads—primary, secondary, and urban roads—that amount to be available for immediate apportionment to the States.

The \$400 million would be in addition to the regular apportionments for the primary, secondary, and urban systems.



It would be available under certain special conditions, and is tailor-made to provide jobs. The special conditions are, first of all, that it is immediately available for apportionment. Second, that it must be obligated by the States by December 1, 1958. Further, that it must be completely transferable as between the systems once the apportionment is made to the States. Finally, that a portion of the money may be borrowed from the Federal Government so that actually a State would have to put up only 10 percent of the amount provided by the Federal Government.

Mr. KERR. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield to the Senator from Oklahoma.

Mr. KERR. If the Senator's statement is correct, then the Senator from Oklahoma has misunderstood the effect of the amendment. If the Senator from Oklahoma understood the amendment of the Senator from South Dakota, it would strike the 70-30 matching formula insofar as the extra \$400 million is concerned, and that would then cause a State to revert to the matching formula of 50-50. Is that correct?

Mr. CASE of South Dakota. That is precisely correct.

Mr. KERR. Subsections (e) and (f) being left as they are now, the States would be permitted to borrow 20 percent of the total, or two-fifths of their 50 percent matching requirements, and therefore they would have to put up 30 percent in order to have the benefit of the \$400 million, instead of, as I just understood the Senators to say, the States being able to get the money insofar as cash is concerned, by putting up 10 percent.

Mr. CASE of South Dakota. That would not be true unless something further were done to the other paragraphs of the bill.

Mr. KERR. What would not be true?

Mr. CASE of South Dakota. It would not be true that the States would have to put up only 10 percent. They would have to put up 30 percent, in effect, if we did nothing to the other portions of the bill.

I thought I should address myself to the issue with respect to the \$400 million, and whether we wanted to adopt a new formula for matching. The other group would have to be taken care of in conference.

Mr. KERR. Will the Senator yield further?

Mr. CASE of South Dakota. Yes.

Mr. KERR. It could not be taken care of in conference, since it is not in the House bill.

Mr. CASE of South Dakota. Paragraph (e) would still be in the bill which will go to conference.

Mr. KERR. But there would be nothing in conference contrary to it. Therefore, the conferees could not give a greater benefit to the States than would be contained in either bill.

Mr. CASE of South Dakota. Yes, that is true, although there could be some modification of whatever language was retained. The amount could be reduced downward.

I was trying to explain the bill as it is now before the Senate. The States would have to put up only 10 percent in actual cash, they could borrow 20 percent, which would constitute 30 percent, and that would be all they would be required to put up in order to get their share of the \$400 million, as that would be available to them on a 70 to 30 matching basis.

Mr. KERR. Will the Senator yield further?

Mr. CASE of South Dakota. Yes.

Mr. KERR. The statement the Senator from South Dakota has just made sets forth what the situation would be if the committee bill were passed without the Senator's amendment. Is that correct?

Mr. CASE of South Dakota. That is correct.

The issue I am presenting is merely whether we should change the historical formula for the ABC roads. In 1916, when the basic Federal Highway Act was passed, the 50-50 principle was established, 50 percent to be paid by the Federal Government and 50 percent to be paid by the State. That principle has been retained during 40 years of roadbuilding with no exception, so far as the money of the Bureau of Public Roads is concerned.

The only time, so far as I know, when there was any change was when a 60-40 emergency fund was made available for the Interstate System. I am inclined to think those funds came out of PWA money, but I am not too sure about that. In any event, so far as the ABC roads are concerned, through the years they have been on a 50-50 basis, 50 percent to be paid by the Federal Government and 50 percent to be paid by the State.

During the WPA days, the Work Projects Administration did accept road projects and had a great deal of discretion as to such projects, as they did with other projects. The WPA had some road projects which might have been constructed on some basis other than 50-50. But, so far as the Bureau of Public Roads is concerned, they have operated on a 50-50 basis through the years.

So far as I know, the States have not requested any change in the matching formula. I do not recall any testimony before the committee that the States proposed any change in the matching formula.

If we are thinking of the pending legislation in terms of providing jobs, we might bear in mind the fact that if we keep the program on a 70-30 basis with respect to the \$400 million, the States will have to put up approximately \$170 million, which will provide a total of \$570 million worth of road jobs. On the other hand, if the States have to put up an equal amount, or have to put up 50 percent, we will have the \$400 million multiplied by 2, or a total of \$800 million worth of road work.

The ABC roads provide more jobs per dollar than the roads of the Interstate System. I was talking with an official of the Bureau of Public Roads this morning, and I asked what would be a fair

figure of the dollars necessary to provide a man year of work on an ABC road. The suggestion was made that \$5,000 was a fair figure. Using that as the criterion, \$570 million would provide about 114,000 man-year jobs.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. CASE of South Dakota. Mr. President, I yield myself 5 additional minutes.

On the other hand, the \$800 million which would be provided if we had \$400 million from the States and \$400 million from the Federal Government would provide 160,000 man-year jobs, as compared with the 114,000 man-year jobs estimated under the 70-30 matching basis.

There is one further point I am sure Senators are aware of, which I should like to make before I conclude.

Mr. GORE. Mr. President, will the Senator yield before he goes to another point?

Mr. CASE of South Dakota. I yield.

Mr. GORE. Using the estimate of the Senator as to the amount of funds required to produce a man-year of employment, which the able Senator said the Bureau of Public Roads representative submitted to him as to the ABC roads, and applying the \$5,000 figure to the additional sums which will be placed under contract this calendar year as a result of enactment of the pending bill, we arrive at a total of 544,000 potential jobs.

Mr. CASE of South Dakota. Mr. President, there is one final point I wish to bring to the attention of Senators. I do not think it needs emphasis from me.

Today the treasuries of the States are in better shape than is the Treasury of the Federal Government. If the Federal Government provides \$400 million on a 70-30 basis, and then loans an additional 20 percent, the money will have to be raised by the Federal Treasury which now is borrowing money. Some of the States would not have to borrow money. The States are better able to provide the full 50 percent than the Federal Government is able to provide 70 percent, asking the States only for 30 percent.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I personally think the idea of using some money for work on the ABC roads is a good idea. Such work will provide the quickest means of employing people, in terms of roadbuilding. I should like to see the maximum benefit derived from such funds. I think the issue must be presented to the Senate, and that is why I have raised the question.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. The Senate should express itself as to whether it wants to leave the historic 50-50 basis and go to a 70-30 basis with respect to the emergency \$400 million.

Mr. President, I yield first to the Senator from Ohio and then I shall yield to the Senator from West Virginia.

Mr. LAUSCHE. Mr. President, I understand it is the position of the Senator



from South Dakota that it would not be good judgment to abandon the historic policy used for the building of ABC roads, under which the Federal Government has put up 50 percent of the funds and the States have matched the money with an equal 50 percent.

Mr. CASE of South Dakota. I think it would be a dangerous precedent to establish.

Mr. LAUSCHE. It is also a fact that now, while we are trying to reestablish the soundness of the national economy, a danger is involved in modifying the historic policies which have worked so well. Does the Senator agree with that statement?

Mr. CASE of South Dakota. I agree with the Senator. I think we raise the probability that it will become easier to make a change the next time, and again and again, until finally the principle will have disappeared.

Mr. LAUSCHE. Mr. President, will the Senator yield for a statement?

Mr. CASE of South Dakota. I yield.

Mr. LAUSCHE. My fear, Mr. President, is that with the adoption of an Interstate System we establish hope in the minds of many people in the States that eventually the responsibility of the States will be completely ended and the responsibility for building highways will be taken over entirely by the Federal Government. We have presently 41,000 miles in the Interstate System. I fear that year by year the mileage will be increased, and year by year increased contributions will be asked for other parts of the highway system.

I think the position of the Senator from South Dakota is sound, and that we ought to be gravely concerned so as not to put the Federal Government completely into the building of the highway system. I say that because of the huge financial responsibility the Federal Government already has, without taking on in perpetuity new burdens and responsibilities.

Mr. CASE of South Dakota. I thank the Senator for his statement.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. CASE of South Dakota. I yield myself 3 additional minutes, and I yield to the Senator from West Virginia.

Mr. REVERCOMB. I thank the Senator.

I think the distinguished Senator from South Dakota has very clearly stated the purpose of his amendment, as he always does in his arguments before this body, arguments which are very fair.

If I understand the purpose and the effect of the amendment, I find myself in opposition to the Senator from South Dakota.

A special fund of \$400 million is provided as something extra, over and above the usual appropriation for the primary, secondary, and urban roads, which was placed in the bill originally, as has been said—and it was discussed at length in the committee—for the purpose of speeding up or accelerating work, so that there could be added employment in the various States. In order to make the program attractive to

the States, so that the States could go ahead and use the funds, it was provided that the money should be advanced to the States upon the basis of 70 percent to be paid by the Federal Government and 30 percent to be paid by the States, with the further right of the States to borrow against future allocations of Federal money for roads known as primary, secondary, and urban improvement roads.

The most attractive feature of the whole bill, the one which permits so many States in the Union to avail themselves of the program, I may say to the Senator, is the very provision of the 70 percent payment by the Federal Government and 30 percent payment by the States. Unquestionably it is the best provision in the bill if we really seek to increase employment, and to give people the opportunity to work at this time. The system is different from the Interstate System in this respect: The so-called ABC roads, primary and secondary roads, are already planned. There is no necessity for delay for engineering and other preliminary work. The projects are ready to proceed.

I respect the opinion of the Senator very highly, but on the point of the States having more money available, I cannot agree with him.

The PRESIDING OFFICER. The time of the Senator from West Virginia has again expired.

Mr. REVERCOMB. Will the distinguished Senator from South Dakota yield me an additional minute?

Mr. CASE of South Dakota. I yield the Senator an additional minute. I should be glad to be more generous, but although the Senator is talking in opposition to the amendment, he is using our time.

Mr. REVERCOMB. The Senator is very generous to yield me an additional minute. I shall try to close within that time.

It seems to me that the provision dealing with the primary, secondary, and urban roads, which are ready to go forward, is the best provision for immediate relief of unemployment.

Returning to the point of the States being better able to put up 50 percent, I cannot agree with that, because today many States have plans for this type of road. They are ready to proceed, but they do not have sufficient funds to match on a 50-50 basis to any considerable extent. If we leave the ratio at 70-30, more roads will be built in States where the unemployment situation is most acute.

Mr. DWORSHAK. Mr. President, will the Senator yield for a question?

Mr. CASE of South Dakota. I yield.

Mr. DWORSHAK. The Senator from South Dakota refers to the 50-50 matching formula. Is that an inflexible formula, or does he consider reverting to the historic pattern, whereby the public-land States get a better matching deal than 50-50?

Mr. CASE of South Dakota. The 50-50 matching formula, as we speak of it, always gives credit to the public-land States.

Mr. DWORSHAK. Does the Senator intend to follow that formula?

Mr. CASE of South Dakota. Yes. That is not disturbed.

Mr. REVERCOMB. Mr. President—

Mr. KERR. Does the Senator from West Virginia wish additional time?

Mr. REVERCOMB. If the Senator could yield me 2 minutes, I should greatly appreciate it.

Mr. KERR. I yield 2 minutes to the Senator from West Virginia.

Mr. REVERCOMB. Further upon the question of the formula of 70-30, I do not see any great danger in it. In 1956 Congress created the ratio of 90-10 with respect to the interstate roads. There is nothing unusual in creating a 70-30 formula. It would not be a dangerous precedent.

Mr. KERR. Is it not a fact that the bill itself retains the 50-50 formula with respect to the ABC system, and provides that immediately following the expenditure of the \$400 million extra in the fiscal year 1959, the apportionment, for both 1960 and 1961, shall remain on the 50-50 basis?

Mr. REVERCOMB. I think that is correct. As a matter of fact, the \$400 million must be spent before December 1, 1959. It is in addition to and apart from the regular allotment for the primary and secondary roads.

The regular allotment of Federal moneys is on a 50-50 basis, and it so continues, as indicated by the Senator from Oklahoma, through 1960 and 1961.

I feel that if this amendment were adopted we would take from the emergency part of the bill the immediately helpful part of the bill, and the most attractive feature to the States.

It may be possible that some States could use a small part of the fund on that basis, but if we leave the 70-30 formula provision in effect, it will permit the States to expand broadly the roads for which they have already made preparation, and with respect to which they have met the engineering requirements. They are ready to go ahead and build, thereby providing new jobs.

So, with reluctance, I must oppose the amendment of the able Senator from South Dakota, because I feel that if it were adopted and we were to take out of the bill the 70-30 formula, we would destroy, in effect, the real helpfulness which would be afforded to the States throughout the Nation by the bill.

Mr. KERR. Mr. President, I yield myself 3 minutes.

I agree entirely and wholeheartedly with what the distinguished Senator from West Virginia [Mr. REVERCOMB] has said. He and the fine and distinguished Senator from South Dakota [Mr. CASE] were on the committee when we formulated the provision which is now before the Senate.

In a moment I shall yield some time to the distinguished Senator from New Hampshire [Mr. COTTON], who was the author of the provision in the bill. After it was discussed and worked over, it had the unanimous approval of the committee; at least I understood it had the approval of every member.

Let me say to my good friend from South Dakota that I think the formula which is before the Senate is tailor-made to provide jobs. Those are the



words which he used to describe the situation which would exist if his amendment were adopted.

I say to him further that if his amendment were adopted, he would take the heart out of the emergency provisions of the bill. If his amendment were adopted, the bill would not be tailor-made to provide jobs in Oklahoma.

I have talked with the distinguished Governor of Oklahoma and with the head of the highway department. They tell me that they are in a position to put up the 10 percent cash, as provided by the language of the bill now before the Senate, but that if they had to put up more than that, they would be unable to take advantage of their share of the \$400 million additional for the ABC system, which, as the Senator from West Virginia has reminded us, must be under contract before December 1 of this year, and the projects must be completed—subject only to conditions beyond the control of the contractors, or acts of God—by December 1, 1959.

I sincerely urge and earnestly request the distinguished Senator from South Dakota, who has labored so heroically on this bill, and whose hand is in it as much as is the hand of any other member of the committee, to feel gratification for the tremendous job he has done, and to withdraw his amendment in order that we may vote on the final passage of the bill.

Mr. CASE of South Dakota. Mr. President, I yield myself 3 minutes.

Any appeal made by the distinguished Senator from Oklahoma, especially with the flowers which accompanied the last appeal, is difficult to resist.

However, I cannot, in justice to some other situations avail myself of that invitation.

I still think this section of the bill is tailor made to provide jobs. It is tailor made, first of all, because it provides emergency money, to the extent of \$400 million, in addition to the regular ABC money.

It is tailor made, in the second place, because there is an incentive to get the program underway. The program is conditioned on its being gotten underway immediately. Otherwise, we would not have the \$400 million provision.

It is tailor made to provide jobs because it has complete transferability. We wrote in a provision that the money, once apportioned to a State, could be used on the primary, secondary, or urban system, or wherever the State wanted to use it to relieve unemployment.

We do not have complete transferability with respect to other moneys. There is a 20-percent transferability. Here we have a complete, 100-percent transferability. If in North Dakota it were desired to use the apportionment on secondary farm-to-market roads, it could be so used. In Wisconsin, if the unemployment situation were particularly severe in Milwaukee, the allotment could be used for urban roads.

With respect to the State's ability to match, by attention was called to the fact that my arithmetic was a trifle inaccurate at the time the Senator from Oklahoma and I were discussing the

two-thirds provision. The language in subsection (e) now reads:

*Provided, that the amount of such increase—*

Referring to the additional fund—of the Federal share shall not exceed two-thirds of the States' share of the cost of such project.

If the State's share of the cost of a project is 50 percent, two-thirds would be 33⅓ percent. Therefore if the State borrowed 33⅓ percent out of the loan fund, it would have to put up only 16⅔ cents out of every dollar. It would not be much different than putting up 10 percent. The State could qualify by putting up 16⅔ cents out of every dollar. Therefore I believe this would help the States to use the money and put it to work and create the maximum number of jobs. I agree with everything the distinguished Senator from West Virginia said with respect to the value of the ABC roads in providing jobs, and that they afford the quickest means of doing that of any public works construction program I know of.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. REVERCOMB. I hope the Senator understood me to say that I am wholeheartedly in agreement with the idea that the ABC roads provide one of the greatest and quickest ways of bringing about employment. The \$400 million goes to the ABC roads. That is the reason why the more help the Federal Government gives to the States on that program the more roads will be built and the more employment will result.

Mr. CASE of South Dakota. It is a question whether we wish to abandon the 50-50 formula and go to the 70-30 formula.

Mr. KERR. Mr. President, I yield 5 minutes to the Senator from New Hampshire.

Mr. COTTON. Mr. President, one of the most painful things about serving in the Senate is to observe Senators listening to the same speech repeated 3 or 4 times. I can see those signs of pain on several faces. Therefore, I shall not repeat the argument made by the Senator from West Virginia, with whom I agree completely, or the argument of the Senator from Oklahoma, with whom I also agree completely. I merely wish to emphasize one point. I believe that most of us who worked in the committee recognize, as the Senator from South Dakota recognizes and has so well expressed, that the heart of this whole bill is the \$400 million fund for immediate use on the ABC roads. The heart of the fund is the 70-30 formula.

I have not heard this emphasized enough. I regret that the able Senator from South Dakota has seen fit to present his amendment, although I respect his feeling about amending the 50-50 formula. His amendment would not destroy it, but if the amendment is adopted, it would mean a bonus for the rich States in the Union, and it would be something held out before the eyes of the smaller and poorer States, who would be tantalized by something they could not get.

There is no doubt that it would be an easy matter for a rich State like New York or California or Illinois or Pennsylvania to provide the necessary money in order to avail themselves of their share of the fund immediately. I talked with the highway commissioner of my State, and he assured me that the State of New Hampshire could not do it. Besides, our legislature does not meet until next January. If the bill should be enacted in its present form, I was assured by the highway commissioner that he could start using the money within 2 months after the passage of the bill. If the bill should be enacted with the amendment offered by the distinguished Senator from South Dakota—and I am sure he offers it in the best of good faith—we in New Hampshire would not be able to avail ourselves of the money until the legislature meets next January, or even later, if we could avail ourselves of it at all. I am sure there are many other States in the same situation in which New Hampshire finds itself.

The purpose of the provision in the bill is to accelerate the program now, immediately, not next year, and to help the States that need help the most. The purpose is to build roads wherever they can be built most effectively and where we will get the most highway for the least number of dollars. Therefore I sincerely hope that the amendment will not be adopted. It would cut the heart out of the provision in the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. I should like to make one more observation. If a State is thinking in terms of 10 percent, it certainly can put up 16⅔ percent. However, I have no desire to prolong the argument. If there are no further requests for time, I am prepared to yield back the remainder of my time.

Mr. KERR. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time has been yielded back. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. CASE].

The amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

Mr. GORE. Mr. President, I ask unanimous consent that the Committee on Public Works be discharged from the further consideration of H. R. 9821, the companion House bill, and that the Senate proceed to its consideration; that all after the enacting clause be stricken out and the text of the Senate bill, S. 3414, as amended, be inserted in lieu thereof; that the amendment be deemed to be engrossed and the bill as amended read the third time; that the time remaining on the question of the passage of the Senate bill be transferred to the House bill; and that the yeas and nays, previously ordered on the Senate bill, be deemed to be ordered on the passage of the House bill.



The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Tennessee?

Mr. KNOWLAND. Mr. President, before the Senate acts on the request, I wonder whether we might have a quorum call.

Mr. GORE. I withhold my request.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I yield 2 minutes to the Senator from Minnesota.

Mr. THYE. Mr. President, in his state of the Union message to Congress on January 7, 1954, the President of the United States called attention to the need for a national highway system. On page 10 of that state of the Union message will be found a paragraph which sets forth the need for a national highway system, to which we are today giving final consideration.

I ask unanimous consent that the entire paragraph be printed at this point in the RECORD.

There being no objection, the paragraph was ordered to be printed in the RECORD, as follows:

#### NATIONAL HIGHWAYS

To protect the vital interest of every citizen in a safe and adequate highway system, the Federal Government is continuing its central role in the Federal-aid highway program. So that maximum progress can be made to overcome present inadequacies in the Interstate Highway System, we must continue the Federal gasoline tax at 2 cents per gallon. This will require cancellation of the one-half-cent decrease which otherwise will become effective April 1, and will maintain revenues so that an expanded highway program can be undertaken.

When the Commission on Intergovernmental Relations completes its study of the present system of financing highway construction, I shall promptly submit it for consideration by the Congress and the governors of the States.

Mr. THYE. Mr. President, on January 22, 1955, in his message to Congress relative to a national highway program, the President of the United States again referred to the great need which existed to have an adequate and proper highway system. I ask unanimous consent that that part of the President's message to Congress on February 22, 1955, as it appears on pages 3, 4, 5, and 7 be printed at this point in the RECORD.

There being no objection, the portion of the message was ordered to be printed in the RECORD, as follows:

#### II. THE HIGHWAY SYSTEM

##### USE OF OUR HIGHWAYS

Highway transportation in the United States is provided currently by approximately 48 million passenger cars, 10 million trucks, and a quarter of a million buses, operating on 3,348,000 miles of roads and streets, which is by far the most comprehensive public transportation network in the world.

All forms of transportation are essential to the national economy, including waterways, railroads, airways, and pipelines and their continued functioning as complementary services under equitable competitive conditions is important. Representatives of the railroads have pointed out to us the competitive threat represented by improved highway facilities and increasing truck haulage. However, this Committee was created to consider the highway network, and other mediums of transportation do not fall within its province. This relationship between the several forms of transportation is under study by other Government agencies and special committees fully informed of these views.

In relatively recent years, the motor vehicle has come to occupy a unique place in America, not only because it is a major unit of transportation, but also because it is an intimate and seemingly indispensable part of our daily life. The bread winner uses an automobile to get to work; the housewife to shop; children ride in a car or bus to school, and the entire family relies on the automobile for many social and recreational activities. Privately owned passenger cars now in service could transport the entire population of the Nation at one time—with seats to spare.

The universal use of rubber-tired vehicles for transportation on a family-unit basis has resulted in the creation of large manufacturing, distributing and service industries. Highway transportation provides essential movement of people and goods; in addition, it has itself become a major element of the economy, generating directly or indirectly approximately one-seventh of all gainful employment, and accounting for about 14 percent of the total gross national product.

One out of every six retail, wholesale, and service businesses is connected with motor vehicles.

About 3 million miles, or 90 percent of the total, of the public roads carrying this traffic are rural highways, with the balance being streets inside municipalities. These figures have remained comparatively stable over the last two decades, increasing now at a very slight rate, because most construction of "new" roads actually is the replacement or betterment of existing facilities. A highway improvement program therefore is not designed to achieve "more" highways so much as it is to achieve "better" or "more adequate" ones.

##### HIGHWAYS DIVIDED INTO SYSTEMS

One of the principal characteristics of this road network is its classification into designated systems, for purposes of financing and management. Thus we have Federal-aid, State, county, township, and other systems, classified in accordance with the responsibility which those political jurisdictions have in the highway function. A street or road providing access to individual homes or farms obviously is of predominant local interest, whereas one linking together the principal population centers of a State is primarily of State and Federal concern. Traffic tends to concentrate on rather limited mileages of highways, so that some of these highways are required to carry heavier volumes than others.

With agriculture, industry, and our defense planning closely geared to motor transportation, Congress has recognized the national interest in a limited mileage of the principal roads by authorizing the designation of two Federal-aid systems, selected cooperatively by the States, local governments, and the United States Bureau of Public Roads.

In 1916 the basic Federal-Aid Highway Act provided for the sharing of highway construction costs between the States and the Federal Government, under standards mutually approved, and with the initiative re-

tained by each State for choosing projects and carrying them out. The planning and development of the Federal-aid systems referred to above began in 1921. Federal funds share with State funds in costs of engineering, construction, and right-of-way acquisition on the designated systems while other charges, such as maintenance and policing, are entirely borne by the States and local agencies. It is proposed to continue this well established and very effective partnership in the enlarged program recommended herein.

The Federal-aid primary system as of July 1, 1954, consisted of 234,407 miles, connecting all of the principal cities, county seats, ports, manufacturing areas, and other traffic generating areas. In general, these are at the same time the main State trunkline roads.

In 1944, the Congress approved designation of the Federal-aid secondary system, which on July 1, 1954, totaled 482,972 miles commonly referred to as the farm-to-market system but which could equally be referred to as the market-to-farm system. It is composed of important feeder roads linking the farms, factories, distribution outlets, and smaller communities of our Nation with the primary system.

Responsibility for construction of these two Federal-aid systems traditionally has been shared in approximately equal amounts by the Federal Government and the States, in accordance with an apportionment formula in which land area, road mileage, and population are factors. But some sections of the primary system are more important than others, from the viewpoint of the national interest. Consequently, in 1944 the Congress authorized the selection of a special network, not to exceed 40,000 miles in length, which in the language of the act would be so located as to connect by routes, as direct as practicable, the principal metropolitan areas, cities, and industrial centers, to serve the national defense, and to connect at suitable border points with routes of continental importance in the Dominion of Canada and the Republic of Mexico.

The result was the creation of the national system of interstate highways embracing about 1.2 percent of total road mileage, joining 42 State capital cities and 90 percent of all cities over 50,000 population. The Interstate System carries more than a seventh of all traffic, one-fifth of the rural traffic, serves 65 percent of the urban and 45 percent of the rural population, and is the key network from the standpoint of Federal interest in productivity and national defense. Approximately 37,600 miles have been designated to date; the remaining 2,400 miles are reserved for future additions. This system and the mileage referred to are included within the Federal-aid primary system described above.

##### CIVIL DEFENSE ASPECTS

From the standpoint of civil defense, the capacity of the interstate highways to transport urban populations in an emergency is of utmost importance. Large-scale evacuation of cities would be needed in the event of A-bomb or H-bomb attack. The Federal Civil Defense Administrator has said the withdrawal task is the biggest problem ever faced in the world. It has been determined as a matter of Federal policy that at least 70 million people would have to be evacuated from target areas in case of threatened or actual enemy attack. No urban area in the country today has highway facilities equal to this task. The rapid improvement of the complete 40,000-mile Interstate System, including the necessary urban connections thereto, is therefore vital as a civil-defense measure. Responsibility for selecting the highway facilities needed for this defensive action has been delegated



by executive order to the Bureau of Public Roads.

### III. WHY THE SYSTEM IS INADEQUATE THE TRAFFIC JAM

Reduced to its simplest terms, the highway problem is this: Traffic has expanded sharply, without a corresponding expansion in capacity of roads and streets. As a result, a major portion of our facilities are seriously overcrowded. Moreover, this movement is faster and heavier than in previous years, and continues to increase.

Simple arithmetic illustrates the dimensions of the task. We now have more than 58 million motor vehicles registered—one for every 700 feet of every lane in both directions on all streets and highways in the Nation. This gigantic fleet traveled an estimated 557 billion vehicle miles in 1954, much of it concentrated on main arteries in urban areas which have become the expensive, hazardous bottlenecks referred to by the President.

The existing traffic jam is bad enough, but prospects for the future are even worse. Vehicle registrations are expected to continue their upward surge, reaching 81 million by 1965, an increase of 40 percent. Total highway travel of these 81 million vehicles will likewise continue to increase as we attempt to meet the transportation requirements of an expanding economy, probably to reach an estimated 814 billion vehicle-miles in 1965.

This committee believes that these forecasts, carefully projected on the basis of all available data, are soundly conservative and represent the foundation upon which the Nation's highway improvement programs should be planned. Our population is expected to exceed 180 million by 1965. Our gross national product, which was about \$357 billion in 1954, is estimated to reach \$535 billion by 1965, an increase of almost 50 percent in the next decade, as recently reported by the Joint Congressional Committee on the Economic Report.

#### HIGHWAYS IN THE NATIONAL ECONOMY

The governors' report to the President pointed up sharply the importance of highways to the Nation's future economy in these words:

"An adequate highway system is vital to the continued expansion of the economy. The projected figures for gross national product will not be realized if our highway plant continues to deteriorate. The relationship is, of course, reciprocal; an adequate highway network will facilitate the expansion of the economy which, in turn, will facilitate the raising of revenues to finance the construction of highways."

Prewar, we did not hesitate to spend on the improvement of our highways sums ranging from 1.1 to 1.7 percent of our gross national product. Today, the need for further improvement is greater than ever. The sums needed to accelerate the program may seem high; they are not high in terms of what we have done in the past in relationship to our much larger and still growing gross national product.

The increasing use of our highways contributes materially to the growth of our national product, since industry and employment directly related to the highway transportation system and its byproducts account for about one-seventh of its total value.

Moreover, the improvement of our highway systems as recommended herein would reduce transportation costs to the public through reductions in vehicle operating costs competently estimated to average as much as a penny a mile. Based on present rates of travel, this saving alone would support the total cost of the accelerated program. It is further evidence of the desirability of undertaking highway improvement as a capital investment.

Mr. JOHNSON of Texas. Mr. President, I yield 1 minute to the Senator from Oklahoma.

Mr. KERR. Mr. President, a little while ago, in the course of the debate on the amendment of the distinguished Senator from South Dakota [Mr. CASE] I stated, as I remember it, that the bill as reported to the Senate had the unanimous approval of all members of the Committee on Public Works. The Senator from South Dakota has reminded me that at the time he reserved the right to offer amendments, or otherwise, on the floor. I would not want the RECORD to fail to disclose that fact.

Mr. JOHNSON of Texas. Mr. President, it is my understanding that the Senator from Tennessee [Mr. GORE] has proposed a request to discharge the Committee on Public Works from the further consideration of H. R. 9821. Has that request been acted upon?

The PRESIDING OFFICER. It has not. The request is the pending question. Is there objection to the unanimous consent request of the Senator from Tennessee? The Chair hears none, and it is so ordered.

The question is on the passage, as amended, of House bill 9821, to amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways.

Mr. JOHNSON of Texas. Under the terms of the request, which I have not had an opportunity to read, have the yeas and nays been ordered on the House bill?

The PRESIDING OFFICER. It is the understanding of the Chair that the yeas and nays have been ordered.

Mr. JOHNSON of Texas. Mr. President, I shall yield 3 minutes to the Senator from Pennsylvania [Mr. CLARK]. At the conclusion of his statement, I shall be prepared to yield back the remainder of our time on the bill, if the minority will be agreeable to doing likewise. Then a ye-a-and-nay vote on the bill can be had promptly. No other ye-a-and-nay votes are planned for this evening.

Mr. KNOWLAND. I am prepared to yield back the remainder of my time, unless there are other requests for time.

Mr. MARTIN of Pennsylvania. Mr. President, I should like to reserve 2 or 3 minutes.

Mr. JOHNSON of Texas. I yield 3 minutes to the junior Senator from Pennsylvania.

Mr. CLARK. Mr. President, I am happy to vote for the bill. I should like to suggest for the RECORD several points affecting the Commonwealth of Pennsylvania, which the Honorable George Leader, our distinguished Governor, has asked to have stated, so that when the problem arises next year, these matters will be in mind.

First, it is the position of my Commonwealth that there should be full reimbursement to the States for all free and toll roads built by all States if the roads are fairly close to conforming with the Federal standards.

My Commonwealth has built a number of toll roads, expressways, and free-

ways at great expense. It is our view that we should be reimbursed for our initiative, and not be penalized.

Second, it is our position that the Federal highway program should be completed in 13 years, and that definite appropriations should be made by Congress under the law.

Third, if and when we get back to schedule and can look forward to completing the program in 13 years, we should take up the question of reimbursement. The question of reimbursement should not be permitted to decrease the amount of the appropriations which are being made to help overcome the current recession and to complete the 13-year program on schedule.

Finally, it is my hope that careful study will be given by the Committee on Public Works next year to the work done by the General Accounting Office to determine the equity of the needs formula. Under that program, the so-called Gore program, my State is penalized by being cut from 5.321 percent to 4.78 percent of appropriated funds. That was because Pennsylvania was more accurate in estimating the cost of her needs than were her sister States. The general average indicates that the cost is 9 percent across the country. In Pennsylvania, it is only 4 percent. One of our large sister States overestimated its needs on a cost basis by 20 or 25 percent and is, accordingly, getting a higher allocation.

I hope the chairman and other members of the committee will bear these facts in mind when, next year, the needs formula is reevaluated.

Mr. LAUSCHE. Mr. President, will the Senator from Texas yield me 3 minutes?

Mr. JOHNSON of Texas. I yield 3 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, yesterday and today I received three letters from highway construction contractors in Ohio. Each of the three letters expresses the fear that because of further increases in the prices of materials, equipment, and supplies, and possibly new demands for increased wages, the cost of the construction will likely go up 10 percent a year.

I ask the Senator from Tennessee whether any of the suppliers or material men or labor representatives who testified urged the adoption of this program to stabilize the economy.

Mr. GORE. There was testimony urging the adoption of a vigorous highway improvement program not only for the purpose of building and improving highways, but also for the purpose of increasing employment opportunities.

Mr. LAUSCHE. In the calculation that the bill will make available an investment which will hire 550,000 workers, did the Senator from Tennessee have in mind the present wage levels and price levels?

Mr. GORE. We calculated on the basis of the existing situation.

Mr. LAUSCHE. That is, the Senator did not anticipate that while Congress intended to stabilize the economy, it might in the next year be faced with a 10-percent increase in cost because increased costs of wages and supplies?



Mr. GORE. On the contrary, the subcommittee requested the Bureau of Public Roads to make a survey of the experiences the States were having with respect to costs; that is, the actual terms of bids and contracts as compared with estimates submitted to the committee in January. We were pleased to have the report that, nationwide, the contracts are running approximately 7 percent below the estimated cost.

Mr. LAUSCHE. After I received the letters, I called officials of the State of Ohio. I was told by them that there is now sound, keen competition. I called one other contractor, and he said he was of the belief that there may be a demand for increased wages and increased prices.

Mr. President, I contemplate voting for the bill. But I will be a bitterly disappointed man if, at the end of 1 year, we find that, whereas we were trying to stabilize the economy and provide jobs, 10 percent of the amounts provided will have been expended for increased costs of materials, supplies, and labor.

Mr. President, I yield the floor.

Mr. WATKINS. Mr. President, will the Senator from California yield 2 minutes to me?

Mr. KNOWLAND. Mr. President, I yield 2 minutes to the Senator from Utah.

The PRESIDING OFFICER (Mr. CLARK in the chair). The Senator from Utah is recognized for 2 minutes.

Mr. WATKINS. Mr. President, I intend to vote for the bill. I believe it provides for the kind of public works which can be fully justified in meeting the present recession. The Nation is a long way behind in its highway program and stepping it up can be justified as a matter of economics.

I believe Federal and State highway officials will do everything within their power to make this program successful. Fully justified expenditures will be spread out over the whole country where the most good can be done.

With respect to reclamation projects, lately there has been a definite tendency to offer bids well within the estimates; in one case, Glen Canyon Dam, the bid was nearly 20 percent lower than the estimate.

Of course, the program under this bill will not need go forward any faster than the funds are made available.

Many of us will be disappointed if the program under the bill adds to the spiral of inflation, although in that case something probably can be done by slowing down the rate of appropriations, or the construction schedule.

As the President has indicated and recommended, I believe the program is fully justified even though it may have in certain particulars gone beyond his recommendations.

The bill contains some provisions and authorizations of new appropriations with which I am not in full accord.

However, I have high hopes that the House of Representatives will scrutinize, in conference, the action taken by the Senate, and that it will be possible to remedy the defects which I believe the bill contains, and to reduce somewhat

some of the authorizations for higher appropriations.

Mr. President, I think the passage of this bill will be a powerful stimulus to our economy.

SEVERAL SENATORS. Vote! Vote!

Mr. JOHNSON of Texas. Mr. President, I am prepared to yield back the remainder of the time under my control, if the minority leader is prepared to do likewise.

Mr. KNOWLAND. Mr. President, I yield back the remainder of the time under my control.

Mr. JOHNSON of Texas. Then, Mr. President, I yield back the remainder of the time under my control.

The PRESIDING OFFICER. All remaining time has been yielded back.

The question before the Senate is on the final passage of House bill 9821, as amended.

The question is, Shall the bill pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Montana [Mr. MURRAY] is absent on official business.

The Senators from Louisiana [Mr. ELLENDER and Mr. LONG] are absent on official business attending the funeral of the late Congressman George Long.

The Senator from Oklahoma [Mr. MONRONEY] is absent on official business attending the Interparliamentary Conference in Europe as a representative of the Senate.

I further announce that if present and voting, the Senators from Louisiana [Mr. ELLENDER and Mr. LONG], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from Montana [Mr. MURRAY] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Connecticut [Mr. BUSH] is absent on official business of the Committee on Armed Services.

The Senator from Indiana [Mr. CAPEHART] is absent because of illness.

The Senator from Indiana [Mr. JENNER] is necessarily absent, and, if present and voting, would vote "yea."

The Senator from Vermont [Mr. FLANDERS] is detained on official business.

The Senator from Indiana [Mr. CAPEHART] is paired with the Senator from Connecticut [Mr. BUSH]. If present and voting, the Senator from Indiana would vote "yea," and the Senator from Connecticut would vote "nay."

The result was announced—yeas 84, nays 4, as follows:

#### YEAS—84

Alken	Cotton	Hruska
Allott	Dirksen	Humphrey
Anderson	Douglas	Ives
Barrett	Dworshak	Jackson
Beall	Eastland	Javits
Bible	Ervin	Johnson, Tex.
Bricker	Frear	Johnston, S. O.
Bridges	Fulbright	Kefauver
Butler	Goldwater	Kennedy
Carlson	Gore	Kerr
Carroll	Green	Knowland
Case, N. J.	Hayden	Kuchel
Case, S. Dak.	Hennings	Langer
Chavez	Hickenlooper	Lausche
Church	Hill	Magnuson
Clark	Hoblitzell	Malone
Cooper	Holland	Mansfield

Martin, Iowa	Potter	Sparkman
Martin, Pa.	Proxmire	Stennis
McClellan	Purtell	Symington
McNamara	Revercomb	Talmadge
Morse	Russell	Thurmond
Morton	Saltonstall	Thye
Mundt	Schoeppel	Watkins
Neuberger	Scott	Wiley
O'Mahoney	Smathers	Williams
Pastore	Smith, Maine	Yarborough
Payne	Smith, N. J.	Young

#### NAYS—4

Bennett	Curtis	Robertson
Byrd		

#### NOT VOTING—8

Bush	Flanders	Monroney
Capehart	Jenner	Murray
Ellender	Long	

So the bill (H. R. 9821), as amended, was passed.

Mr. GORE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Without objection, the title of the House bill is amended by substituting for it that of the Senate bill, and the Senate bill will be indefinitely postponed.

Mr. JOHNSON of Texas. Mr. President—

The PRESIDING OFFICER. The Senator from Texas.

Mr. JOHNSON of Texas. I yield to the Senator from Tennessee.

Mr. GORE. Mr. President, I move that the Senate insist upon its amendment, request a conference thereon with the House, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CHAVEZ, Mr. KERR, Mr. GORE, Mr. MARTIN of Pennsylvania, and Mr. CASE of South Dakota conferees on the part of the Senate.

Mr. GORE. Mr. President, I ask unanimous consent that House bill 9821, as amended and passed by the Senate, be printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, we have just closed debate on one of the most important measures we could possibly pass to help the unemployed.

This is a bill which will have a direct and certain effect upon jobs. It means that men will be put to work building the highways the Nation so badly needs.

The Senate owes a deep debt of gratitude to all the Members of this body for their patience and for the long hours they have spent during the time we were debating this important measure. The Senate owes a particular debt of gratitude to the junior Senator from Tennessee [Mr. GORE], chairman of the subcommittee which held the long hearings, and to the Senator from New Mexico [Mr. CHAVEZ] for the fine work they have done on the bill.

As chairman of the committee, the Senator from New Mexico acted promptly and expeditiously. And the junior



Senator from Tennessee is one of the Nation's outstanding experts on this difficult field of legislation.

The passage of this measure is clear and unmistakable notice to the unemployed men and women of this country that Congress is determined to act and to help them. We are not going to stand idly by.

This measure strikes me as being of unusual importance in this situation. According to expert surveys, 90 cents out of every dollar spent on roads—aside from acquisition of rights-of-way—goes directly or indirectly into wages.

I congratulate all the Members of the Senate, and particularly the members of the Committee on Public Works, the junior Senator from Tennessee, the Senator from New Mexico, and their colleagues for this fine achievement.

Mr. BEALL. Mr. President, will the majority leader yield?

Mr. JOHNSON of Texas. I yield.

Mr. BEALL. I should like to know whether the minority members cooperated in bringing about the passage of this bill. Did the minority members, the Republicans, cooperate in bringing it?

Mr. JOHNSON of Texas. I said the entire membership of the Committee on Public Works. I would assume the Senator would realize that included the minority.

Mr. BEALL. The Senator was very emphatic about mentioning certain names. I wonder whether the Senator from Pennsylvania [Mr. MARTIN] was included.

Mr. JOHNSON of Texas. If the Senator desires me to mention his name, I shall be glad to commend the Senator.

Mr. BEALL. I am not a member of the committee.

Mr. JOHNSON of Texas. I referred to all the Members of the Senate and expressed my appreciation to them. I express my appreciation to the Senator from Maryland again.

I referred to every member of the subcommittee, but I thought particular attention should be given to the chairman of the full committee and the chairman of the subcommittee, who probably spent more hours on the matter than any other Members of the Senate.

#### ATTACKS ON JEWISH COMMUNITY CENTERS

Mr. KEFAUVER. Mr. President, while I was in Bonn, Germany, recently on business connected with NATO I learned the deeply shocking news that a Jewish community center in Nashville, Tenn., had been subjected to a dynamite attack. Two hours later a similar attack was made on a Jewish synagogue in Miami, Fla.

These two attacks followed two unsuccessful efforts to dynamite buildings dedicated to the Jewish faith in North Carolina.

The attack in Nashville was followed by telephone threats to a distinguished jurist, Circuit Judge William E. Miller.

I am glad that there was a quick and proper response from officials of the State of Tennessee and the city of Nashville. In both Nashville and Miami the

Councils of Churches expressed the sense of outrage undoubtedly felt by all decent citizens.

This matter is now in the hands of the police. In Nashville the police are being aided by the Federal Bureau of Investigation. I am encouraged to think that the criminals will be brought to justice in both instances.

It would appear that these bombings are more than coincidental. The facts, in any event, must be brought fully to light. We cannot tolerate in this Nation vicious and violent attacks on any religion, whether it be Protestant, Catholic, Jewish, or any other faith.

Beyond finding the immediate culprits in these cases and bringing them to justice, we must work without relenting to banish the underlying causes of such attacks—which are ignorance and hate.

As a member of the Christian community, I want to express my sorrow that anything like this could happen in America to our fellow citizens of the Jewish community.

#### AMENDMENT OF INTERNAL REVENUE CODE OF 1954

Mr. JOHNSON of Texas. Mr. President, I do not expect any rollcalls this evening, although there are some statements to be made, and we do want to consider a bill affecting colleges, Order No. 1427, H. R. 8268, when Senators are ready to consider it.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 1427, House bill 8268.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (H. R. 8268) to amend section 512 of the Internal Revenue Code of 1954.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

#### CHICKEN IN THE POT AGAIN?

Mr. JOHNSTON of South Carolina. Mr. President, first it was within the next 30 days—then it was by the middle of March—and now it is within the next 60 days or possibly the last quarter of 1958—that the present rapid decline in the national economy is supposed to level off.

Meanwhile, I submit that the administration, by its failure to deal promptly and vigorously with the business recession, has virtually nullified the Full Employment Act of 1946.

Mr. President, for 6 consecutive months official reports on the state of the economy have registered continuing declines in factory and mining output, sharp curtailment of oil production, heavy cutbacks in auto manufacture and an alarming rise in unemployment—while the administration has sat on its hands.

Furthermore, nothing in the latest reports of the Federal Reserve Board, the Bureau of Employment Security, or the Department of Commerce would seem to justify the administration's sunny optimism that within the next 60 days or at least by next fall things will get better—if they do not get any worse.

Mr. President, I am painfully aware that to a jobless worker with hungry mouths to feed this optimism about the future is a poor substitute for a regular paycheck. I do not believe that some 5½ million unemployed Americans—especially those who have exhausted their unemployment benefits—presently regard the exercise of their "right to suffer" as one of the joys of living in a democracy.

Mr. President, I would remind the administration that when the Congress passed the Employment Act of 1946, we declared it to be the continuing policy and responsibility of the Federal Government to use all practicable means to promote maximum employment, production and purchasing power.

The President stated recently, as he has on numerous other occasions since the recession began, that—

This administration will continue to undertake, by Executive order or proposal to the Congress, any measures—including tax reduction if, after consultation with congressional leaders, such action should prove desirable and necessary—that will assist health economic recovery.

These are reassuring words, but they are without meaning unless they are followed by bold action. And so far, the administration has failed to act, apparently waiting in the hope that the economy will eventually right itself.

Mr. President, it is with grave misgivings that I seem to detect in this just-around-the-corner attitude on the part of the administration, a close parallel with that of another day.

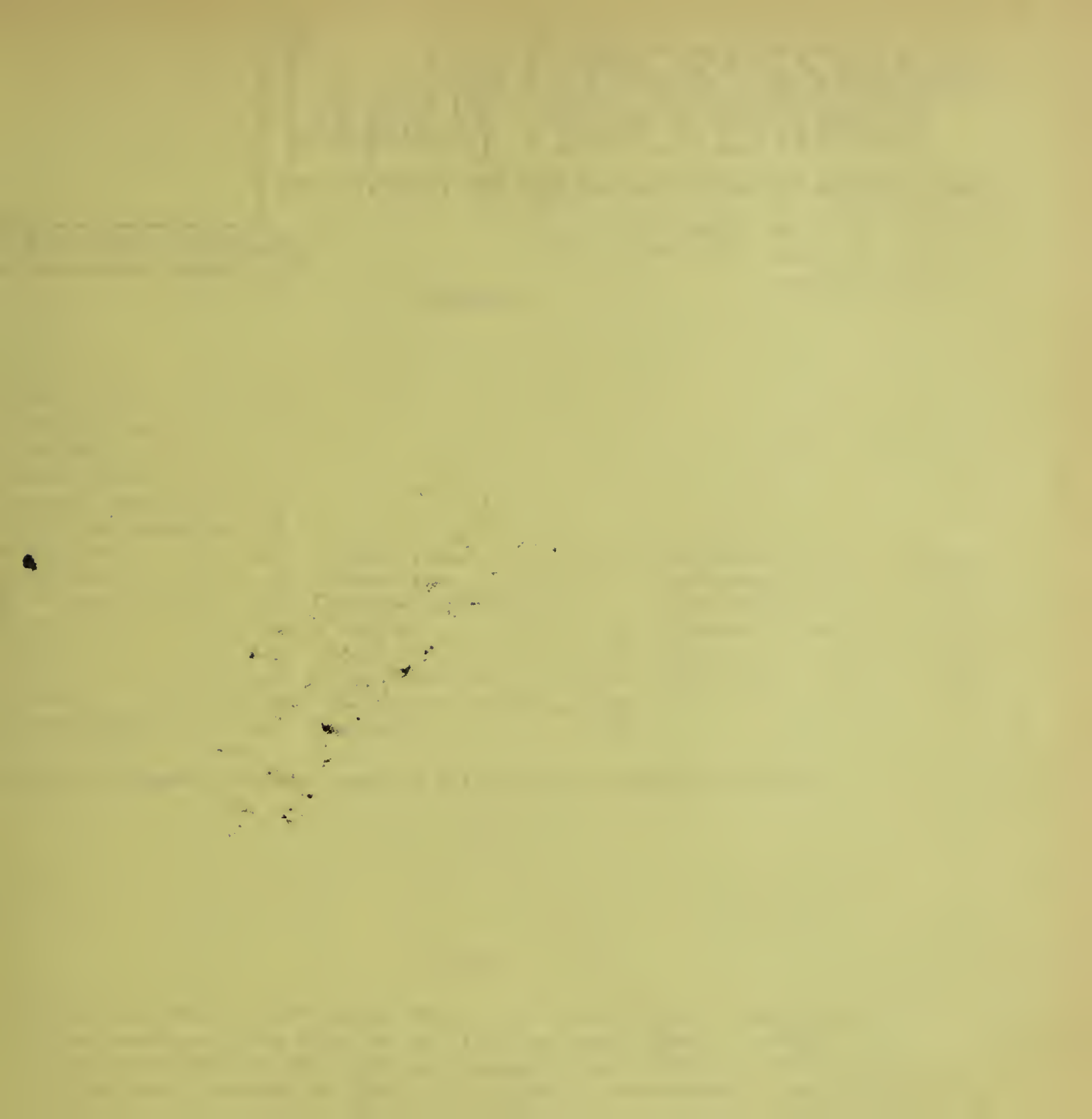
Indeed, I find an unhappily reminiscent ring in this passage from *The American Past*, by Mr. Roger Butterfield. Headed "Just Around the Corner" this passage describes that turbulent period in current history which has, I believe, come to be known as the roaring twenties, in these words:

In October 1929 President Hoover declared: "The fundamental business of the country \* \* \* is on a sound and prosperous basis." In January 1930 he said that there were definite signs that the Nation had turned the corner. In March he predicted that the high point of unemployment would be passed in 60 days. In May he announced: "We have now passed the worst and with continued unity of effort we shall rapidly recover." His words were brave but futile. The crash rolled on and settled dismally into the depression. The national income dropped from \$85 billion to \$37 billion, wages fell off \$22 billion, 1 out of every 4 farms was sold for taxes. At the end of 1930 there were 3 million unemployed; by 1933 there were 15 million. Five thousand banks closed their doors. Private construction came to an end.

But dividend and interest payments rose to an alltime high of \$8 billion in 1931, and never fell lower than the level of 1928. Investors generally continued to collect; wage-earners and farmers bore the brunt.

Mr. President, any similarity between this tragic period in our history and the









# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued March 31, 1958  
For actions of March 28, 1958  
85th-2d, No. 51

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HIGHLIGHTS: House committee reported agricultural appropriation bill.

## HOUSE

1. AGRICULTURAL APPROPRIATION BILL, 1959. The Appropriations Committee reported without amendment this bill, H. R. 11767 (H. Rept. 1584). p. 5088

Representatives of the Department agencies have been advised in detail of the Committee's actions on the estimates for the Department. Copies of the bill and committee report will be distributed directly to the agency budget offices, as soon as received, pursuant to a distribution list that has been worked out with the Department agencies. The agencies will receive the material at the same time this office will receive it. The material will not be distributed from this office. In general, copies should be obtained from the agency budget offices rather than from this office.

At the end of this Digest are a summary comparison of the Committee actions with the 1959 estimates and with anticipated funds available in 1958, and excerpts from the committee report.

2. GENERAL GOVERNMENT MATTERS APPROPRIATION BILL, 1959. The Appropriations Committee submitted a supplemental report on this bill, H. R. 10589 (H. Rept. 1332, Part 2). p. 5087

3. PURCHASING. The Appropriations Committee reported without amendment H. J. Res. 588, to provide immediate appropriations to Government civilian agencies of up to 50% of the amounts set forth in the Budget for the fiscal year 1959 for the objects "Supplies and Materials" and "Equipment" in order to accelerate planned procurement programs (H. Rept. 1583). p. 5088
4. FORESTRY. Passed without amendment, 218 to 102, S. 3262, to authorize Federal grants to construct Olympic facilities for the 1960 winter games on Forest Service land. Rejected several amendments dealing with the role of the Armed Services in handling the games. This bill will now be sent to the President. pp. 5058-9, 5071-81
5. IMPORTS. Passed without amendment H. R. 11407, to extend for two years the law allowing free importation of personal and household goods brought into the U. S. under Government orders. pp. 5052-3  
Passed without amendment H. R. 10112, to make permanent the existing privileges of free importation of guar seed. p. 5053
6. FLOOD CONTROL. Granted the House Conferees on S. 497, the Flood-Control Act of 1958, until midnight, Mar. 28, to file their report. Reps. McGregor, Martin and Fallon discussed the speed with which the committee acted (p. 5057). The Daily Digest reported: "Conferees, in executive session, agreed to file a conference report on the differences between the Senate and House-passed versions of S. 497, Flood Control Act of 1958." (p. D274).
7. ROADS. Disagreed with the Senate amendment to H. R. 9821, the road authorization bill, and appointed conferees. Senate conferees were appointed Mar. 27. p. 5056  
Rep. Curtis, Mass., criticized the increase in the Federal share of matched grants from 50 to 70% of the cost for the \$400 million additional for ABC roads. He stated that such "farm-to-market" roads as might be helped were of "predominantly local interest." p. 5082
8. RECIPROCAL TRADE. Reps. Bailey Hoffman, Kearns, Neal, Bennett (Mich.), and Dorn discussed various aspects of the foreign trade programs and policies of the U. S. pp. 5056, 5083-5.
9. COMMITTEE ASSIGNMENTS. Rep. Westland was elected a member of the Government Operations Committee. p. 5082
10. SOIL BANK. Received from this Department a report on the conservation reserve program of the Soil Bank for 1957. p. 5087
11. INTERNATIONAL ORGANIZATIONS. Received from the State Department the sixth report on the extent and disposition of U. S. contributions to international organizations for fiscal year 1957 (H. Doc. 360). p. 5087
12. RECLAMATION. Received a Mass. Legislature memorial urging Congress and the President to enact legislation expanding the use of artificial irrigation. p. 5089
13. LEGISLATIVE PROGRAM. Rep. Albert announced that on Mon., Mar. 31, the House would consider H. J. Res. 588, to accelerate expenditures for planned procurement programs through advance purchases by Government agencies against eventual 1959 appropriations, to be followed by consideration of H. R. 10589, the general Government matters appropriation bill for 1959, and S. 1740, to authorize payment from the Employees' Life Insurance Fund of expenses incurred by the CSC in assuming and maintaining the assets and liabilities of certain



any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the fair, under such regulations as the Secretary of the Treasury shall prescribe.

SEC. 6. The Kentucky State Fair shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under this act. The actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under this act, shall be reimbursed by the Kentucky State Fair to the United States under regulations to be prescribed by the Secretary of the Treasury. Receipts from such reimbursement shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524 of the Tariff Act of 1930, as amended (19 U. S. C. sec. 1524).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of H. R. 11019 is to permit the entry, free of duty, of articles imported for exhibition at the Kentucky State Fair to be held at Louisville, Ky., from September 4 to 13, 1958.

This bill is similar to previous legislation enacted by the Congress in connection with various international exhibitions, expositions, and fairs held in the United States. The Kentucky State Fair is to be held at the Kentucky Fair and Exposition Center, Louisville, Ky., from September 4 to 13, 1958, inclusive, by the Kentucky State Fair.

H. R. 11019 provides that the imported articles shall not be subject to marking requirements of the general tariff laws except when such articles are withdrawn for consumption or use in the United States. Articles admitted may be lawfully sold at any time during or within 3 months after the close of the exposition, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe.

The Committee on Ways and Means was unanimous in urging the enactment of this legislation.

Mr. REED. Mr. Speaker, H. R. 11019 has as its meritorious purpose authority for the duty-free entry of articles to be exhibited at the Kentucky State Fair to be held from September 4 to 13, 1958, at Louisville, Ky.

This legislation conforms to other legislation granting a duty-free import status to exhibition articles for display at trade fairs and contains safeguards to prevent abuse of the privilege. The Committee on Ways and Means was unanimous in recommending favorable consideration of the bill.

[Mr. ROBSION of Kentucky's remarks will appear hereafter in the Appendix.]

## OREGON STATE CENTENNIAL EXPOSITION AND INTERNATIONAL TRADE FAIR

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 9655) to permit articles imported from foreign countries for the purpose of exhibition at the Oregon State Centennial Exposition and International Trade Fair to be held at Portland, Oreg., to be admitted without payment of tariff, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That any article which is imported from a foreign country for the purpose of exhibition at the Oregon State Centennial Exposition and International Trade Fair to be held at Portland, Oreg., from June 10, 1959, to September 20, 1959, inclusive, by the Oregon State Centennial Exposition and International Trade Fair (hereinafter called the exposition), or for use in constructing, installing, or maintaining foreign exhibits at such exposition, upon which there is a tariff or customs duty, shall be admitted without payment of such tariff or customs duty or any fees or charges, under such regulations as the Secretary of the Treasury shall prescribe.

SEC. 2. It shall be lawful at any time during or within 3 months after the close of such exposition to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe. All such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law.

SEC. 3. Imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States.

SEC. 4. At any time or within 3 months after the close of the exposition, any article entered hereunder may be abandoned to the United States or destroyed under customs supervision, whereupon any duties on such article shall be remitted.

SEC. 5. Articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at such exposition, under such regulations as the Secretary of the Treasury shall prescribe.

SEC. 6. The exposition shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this act. The actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this act, shall be reimbursed by the exposition to the United States under regulations to be prescribed by the Secretary of the Treasury. Receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524 of the Tariff Act of 1930, as amended (19 U. S. C. 1524).

With the following committee amendments:

Page 2, line 2, after "which" insert "article."

Page 2, line 9, strike out "herein," and insert "in this act."

Page 2, line 19, strike out "hereunder," and insert "under this act."

Page 2, line 21, strike out "herein," and insert "in this act."

Page 3, line 4, after "time" insert "during or."

Page 3, line 5, strike out "hereunder," and insert "under this act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of H. R. 9655 is to permit the entry, free of duty, of articles imported for exhibition at the Oregon State Centennial Exposition and International Trade Fair, to be held at Portland, Oreg., from June 10, 1959, to September 20, 1959.

This bill is similar to previous legislation enacted by the Congress in connection with various international exhibitions, expositions, and fairs held in the United States. The Oregon State Centennial Exposition and International Trade Fair is to be held at Portland, Oreg., from June 10, 1959, to September 20, 1959, inclusive, by the Oregon State Centennial Exposition and International Trade Fair.

H. R. 9655 provides that the imported articles shall not be subject to marking requirements of the general tariff laws except when such articles are withdrawn for consumption or use in the United States. Articles admitted may be lawfully sold at any time during or within 3 months after the close of the exposition, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe.

The Committee on Ways and Means was unanimous in urging the enactment of this legislation.

Mr. REED. Mr. Speaker, this legislation permits the duty-free entry of exhibition articles for display at the Oregon State Centennial Exposition and International Trade Fair. This event is to



be held at Portland, Oreg., from June 10 to September 20 of next year.

This legislation is in conformity with other legislation having a similar purpose on which the House has acted favorably from time to time. The legislation contains the usual safeguards to preclude abuse of the privilege of free entry granted under the legislation.

[Mrs. GREEN of Oregon's remarks will appear hereafter in the Appendix.]

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the authors of the bills that have just been considered may have permission to extend their remarks following those of the gentleman from New York [Mr. REED] and myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

#### AMENDMENT OF FEDERAL-AID ROAD ACT

Mr. FALLON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9821) to amend and supplement the Federal-Aid Road Act approved July 11, 1916, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. FALLON, BLATNIK, JONES of Alabama, MCGREGOR, and GEORGE.

#### LEGISLATIVE PROGRAM FOR NEXT WEEK

(Mr. ARENDS asked and was given permission to address the House for 1 minute.)

Mr. ARENDS. Mr. Speaker, I take this time to ask the majority whip if he will announce the program for next week.

Mr. ALBERT. In response to the gentleman may I say that on Monday there is one suspension regarding advance procurement appropriations for 1958.

After that three bills will be considered:

H. R. 10589, the general Government matters appropriation bill for 1959, under the 5-minute rule.

H. R. 607, regarding increased payments for retired annuitants.

S. 1740, the Federal Employees Life Insurance Act.

For Tuesday, Wednesday, and Thursday:

The Private Calendar will be called on Tuesday, and after that the Agriculture Department appropriation bill for 1959 and H. R. 5124, the air brake bill.

Any record votes on Monday will go over until Tuesday.

The Easter recess will be from the close of business on Thursday, April 3, until noon on Monday, April 14.

This program, of course, is subject to the general exception that conference reports may be brought up at any time.

Any further program will be announced later.

#### ADJOURNMENT UNTIL MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

#### CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order to dispense with the business under the Calendar Wednesday rule on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

#### SUBCOMMITTEE ON IRRIGATION AND RECLAMATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs may sit while the House is in session this afternoon during general debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

#### ALL THINGS COME TO THOSE WHO WAIT

(Mr. BASS of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BASS of Tennessee. Mr. Speaker, I have in my hand a book entitled "Dear Mr. Congressman" which was published in 1948 and written by Juliet Lowell. According to this book we might well say that the old saying, "All things come to those who wait" is true. The book is composed of letters which have been written to various Members of the Congress. On page 24 of this book is a letter which was addressed to a Congressman. I would like to read this letter which I think carries out the old expression, "All things come to those who wait." It was addressed to Representative KENNETH KEATING, presently a Member of the House. It says:

DEAR REPRESENTATIVE KEATING: What this country needs is a first-class depression under a Republican administration.

Yours truly,

FREDERICK H.

#### BANKERS OF THE NATION REPORT SIZABLE INCREASE IN SAVINGS IN 1958

(Mr. ALGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALGER. Mr. Speaker, down in Texas before a cyclone ever hits, a lot of folks build a cyclone cellar to protect them before the cyclone arrives. A lot of folks put money in the bank in order to have the savings when they need the

money. This is what many are doing now. Savings are going up in the United States now at a greater rate than ever. Savings are at the highest point in history.

The small-town bankers convened in Chicago the other day. Mr. Charles Lucey, of the Scripps-Howard newspapers, reported the quiet confidence and optimism generally expressed by these grassroots professional observers of our economic pulse in a Washington Daily News story yesterday.

Commenting editorially on the Lucey article and on the distinctly positive attitude of these grassroots analysts, the Washington Daily News succinctly summed up the readjustment or recession which presently appears to dominate the Washington mind:

In our opinion, one factor is what Mr. Lucey described as a cyclone-cellar psychology. And this psychology, in part at least, would be the natural result of the election-year desperation recently evident here in Washington—main source of the scare headlines mentioned by one of Mr. Lucey's informants.

If you hear a fire siren, you figure there's a fire, even if you can't see the smoke.

The politicians didn't make a recession (despite some of the partisan extremists who are popping off). But they can make it worse, by panic antics, much more easily than they can reverse it.

We cite the 1949 and 1954 recessions, which the country calmly converted into new booms without any meddling by the politicians.

All we are saying here is that experts here in Washington, with its inflation-breeding panaceas, well may be achieving nothing so much as a spread of the cyclone-cellar psychology. Which is no help at all.

#### ERIC JOHNSTON AND THE RECIPROCAL TRADE AGREEMENTS ACT

(Mr. BAILEY asked and was given permission to address the House for 1 minute.)

Mr. BAILEY. Mr. Speaker, I am asking for this time merely to call the attention of my colleagues to the fact that I have a 10-minute special order following the close of the legislative program for the day, in which I shall devote most of the time to making comments on some remarks on Eric Johnston's side show and his effort to put across the reciprocal trade agreements extension, and the comments made regarding a group of honest businessmen who have been here trying to get some relief under this program. I expect to devote my attention during that 10-minute period to answering the accusation on behalf of the businessmen.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield.

Mr. HOFFMAN. Is the gentleman going to express his real opinion on Eric? If he is, some of us will stay.

Mr. BAILEY. Come around; you will not be disappointed.

#### THE STRENGTH OF THE NATIONAL GUARD

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)



other purposes, pursuant to House Resolution 516, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the third reading of the bill.

The bill was ordered to be read a third time.

Mr. GROSS. Mr. Speaker, I demand the reading of the engrossed copy.

The SPEAKER pro tempore. The engrossed copy is at the desk. Does the gentleman want to have it read?

Mr. GROSS. Yes.

The SPEAKER pro tempore. The Clerk will read the engrossed copy of the bill.

The bill was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 218, nays 102, not voting 109, as follows:

#### [Roll No. 37]

#### YEAS—218

Addonizio	Eberhart	Kearney
Albert	Edmondson	Keating
Alger	Elliott	Kee
Allen, Ill.	Fascell	Kilday
Anderson,	Feighan	King
Mont.	Fenton	Kirwan
Aspinall	Fisher	Kitchin
Auchincloss	Flood	Landrum
Ayres	Forand	Lane
Bailey	Ford	Lankford
Baker	Forrester	Lesinski
Baldwin	Fountain	Libonati
Bass, Tenn.	Frazier	Lipscomb
Bates	Frelinghuysen	McCarthy
Beamer	Friedel	McCormack
Becker	Fulton	McFall
Beckworth	Gathings	McGovern
Bennett, Fla.	Gavin	McIntire
Bennett, Mich.	Glenn	McIntosh
Blatnik	Granahan	McMillan
Blitch	Green, Oreg.	Machrowicz
Boggs	Gregory	Mack, Ill.
Bolling	Gubser	Mahon
Boykin	Hagen	Mailliard
Boyle	Halleck	Martin
Bray	Harden	Matthews
Breeding	Hardy	May
Brooks, Tex.	Harris	Morrow
Broomfield	Harrison, Va.	Metcalf
Brown, Ga.	Harvey	Michel
Brown, Mo.	Hays, Ohio	Miller, Calif.
Bush	Hébert	Mills
Byrne, Pa.	Heseltun	Mitchell
Canfield	Hess	Montoya
Carrigg	Hiestand	Morano
Chamberlain	Hill	Morris
Chelf	Hillings	Moss
Chenoweth	Hollifield	Multer
Coffin	Holland	Natcher
Corbett	Holmes	Nicholson
Cretella	Holt	Nimtz
Curtin	Holtzman	O'Brien, N. Y.
Dague	Horan	O'Hara, Minn.
Davis, Tenn.	Hosmer	O'Neill
Dellay	Huddleston	Osmers
Denton	Hull	Ostertag
Devereux	Hyde	Patman
Dingell	Ikard	Patterson
Dixon	Jackson	Pelly
Donohue	Jarman	Perkins
Dooley	Jennings	Pfost
Dorn, N. Y.	Johnson	Philbin
Dorn, S. C.	Jones, Ala.	Pilcher
Doyle	Judd	Poage
Durham	Karsten	Porter

Preston  
Price  
Prouty  
Quile  
Rabaut  
Reece, Tenn.  
Rhodes, Ariz.  
Rhodes, Pa.  
Riehlman  
Riley  
Roberts  
Robison, Ky.  
Rodino  
Rogers, Colo.  
Rogers, Fla.  
Rogers, Mass.  
Rogers, Tex.  
Rooney

Abernethy  
Andersen,  
H. Carl  
Andrews  
Ashmore  
Avery  
Bass, N. H.  
Baumhart  
Belcher  
Bentley  
Berry  
Betts  
Bow  
Brown, Ohio  
Brownson  
Broyhill  
Budge  
Burleson  
Byrne, Ill.  
Byrnes, Wis.  
Cannon  
Cederberg  
Church  
Clevenger  
Coad  
Cunningham,  
Iowa  
Curtis, Mass.  
Davis, Ga.  
Dowdy  
Everett  
Flynt  
George  
Gray  
Griffin

Abbutt  
Adair  
Alexander  
Allen, Calif.  
Anfuso  
Arends  
Ashley  
Barden  
Baring  
Barrett  
Boland  
Bolton  
Bonner  
Bosch  
Brooks, La.  
Buckley  
Burdick  
Byrd  
Carnahan  
Celler  
Chiperfield  
Christopher  
Clark  
Collier  
Colmer  
Cooley  
Coudert  
Cramer  
Cunningham,  
Nebr.  
Curtis, Mo.  
Dawson, Ill.  
Dawson, Utah  
Delaney  
Dennison  
Dent  
Derounian

Sadlak  
Santangelo  
Saund  
Saylor  
Scudder  
Seely-Brown  
Selden  
Shelley  
Shuford  
Sisk  
Smith, Calif.  
Smith, Miss.  
Stauffer  
Steed  
Sullivan  
Teague, Calif.  
Tewes  
Thompson, N. J.  
Zablocki

#### NAYS—102

Gross  
Haley  
Harrison, Nebr.  
Hemphill  
Henderson  
Herlong  
Hoeven  
Hoffman  
Jenkins  
Jensen  
Johansen  
Jonas  
Jones, Mo.  
Kean  
Kearns  
Kilburn  
Kilgore  
Knox  
Laird  
LeCompte  
Loser  
McCulloch  
McGregor  
McVey  
Macdonald  
Mack, Wash.  
Marshall  
Mason  
Meader  
Miller, Md.  
Miller, Nebr.  
Minshall  
Mumma  
Murray  
Neal

#### NOT VOTING—109

Djes  
Diggs  
Dollinger  
Dwyer  
Engle  
Evins  
Fallon  
Farbstein  
Fino  
Fogarty  
Garmatz  
Gary  
Gordon  
Grant  
Green, Pa.  
Griffiths  
Gwinn  
Hale  
Haskell  
Hays, Ark.  
Healey  
James  
Kelly, N. Y.  
Keogh  
Kluczynski  
Knutson  
Krueger  
Lafore  
Latham  
Lennon  
McDonough  
Madden  
Magnuson  
Miller, N. Y.  
Moore  
Morgan  
Morrison

Thompson, Tex.  
Thomson, Wyo.  
Thornberry  
Trimble  
Udall  
Ullman  
Utt  
Vanik  
Van Zandt  
Vinson  
Westland  
Widnall  
Wigglesworth  
Wilson, Calif.  
Withrow  
Young  
Younger

Mr. Miller of New York with Mr. Lafore.  
Mr. Haskell with Mr. Scott of Pennsylvania.  
Mrs. St. George with Mr. Cramer.  
Mr. Sheppard with Mr. Dennison.  
Mr. Engel with Mr. Coudert.  
Mr. Roosevelt with Mr. Chiperfield.  
Mr. Dent with Mr. Fino.  
Mr. Keogh with Mr. Lennon.  
Mr. Anfuso with Mr. Alexander.  
Mr. Dollinger with Mr. Abbutt.  
Mr. Evans with Mr. Radwan.  
Mr. O'Brien of Illinois with Mr. Collier.  
Mr. Yates of Illinois with Mr. Robeson of Virginia.  
Mr. Celler with Mr. Cunningham of Nebraska.  
Mr. Farbstein with Mr. Ray.  
Mr. Teller with Mr. Colmer.  
Mr. Zelenko with Mr. Tuck.  
Mr. Allen of California with Mr. Krueger.  
Mr. Derounian with Mr. Reed of New York.  
Mr. Delaney with Mr. Curtis of Missouri.  
Mrs. Kelly of New York with Mr. Vorys.  
Mr. Fallon with Mr. Gwinn.  
Mr. Kluczynski with Mr. Dies.  
Mr. Walter with Mr. Reuss.  
Mr. Healey with Mr. Smith of Virginia.  
Mr. Buckley with Mr. Grant.  
Mr. Green of Pennsylvania with Mr. Dawson of Utah.  
Mr. Ashley with Mr. Adair.  
Mr. Barrett with Mr. Tollefson.  
Mr. Carnahan with Mr. Simpson of Pennsylvania.  
Mr. Byrd with Mr. Hale.  
Mr. Morrison with Mrs. Dwyer.  
Mr. Moulder with Mr. Burdick.  
Mr. Staggers with Mr. Wainwright.  
Mr. Thompson of Louisiana with Mr. Wilson of Indiana.

Mr. AVERY changed his vote from "yea" to "nay."

Mr. CUNNINGHAM of Iowa changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The doors were opened.

#### GENERAL LEAVE TO EXTEND

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

#### PEACE PROPAGANDA THROUGH SPORTS

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

(Mrs. ROGERS of Massachusetts asked and was given permission to revise and extend her remarks and to include extraneous matter.)

Mrs. ROGERS of Massachusetts. Mr. Speaker, I was very glad to vote for the Olympic games bill when it came up under suspension of the rules, and I was very glad to vote for it today. I tried to secure interest in the bill by talking to as many Members as I could about it. We do not do enough to create the knowledge abroad amongst those people, particularly those living in Russia, that we are not warmongers, that we are in-

So the bill was passed.

The Clerk announced the following pairs:

Mr. McDonough with Mr. James.  
Mr. Garmatz with Mr. Taylor.  
Mr. Arends with Mr. Bosch.  
Mr. Wolverton with Mr. Latham.  
Mr. Moore with Mrs. Bolton.



terested in peaceful pursuits. I think there is no finer way of showing the people of all countries how we act and how we feel in this peace-loving and free Nation than by having them come to our country and participate in the great American sports in rivalry, if you will, or in competition, with the sportsmen and women of other countries of the world. I am delighted that the bill passed. The gracious, friendly, beautiful California will be wonderful hosts.

Mr. Speaker, I wish we could have more of what I call peace propaganda in a cold and a very unpleasant war. I ask that this be inserted just after the passage of the Olympic games bill.

#### ELECTION TO COMMITTEE

Mr. MARTIN. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 518

*Resolved*, That JACK WESTLAND, of Washington, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Government Operations.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### DO NOT INCREASE FEDERAL SHARE OF MATCHED GRANTS FOR HIGHWAYS FROM 50-50 TO 70-30

(Mr. CURTIS of Massachusetts asked and was given permission to address the House for 1 minute.)

Mr. CURTIS of Massachusetts. Mr. Speaker, the increase in the Federal share of matched grants for highway aid provided for in the Senate but not in the House bill, is unfair to certain sections of the country and should be opposed by the House.

Matched grants on a 50-50 basis has been the rule for many years in the provision for the ABC highways; namely, the primary, secondary, and urban highways. Appropriations have been apportioned between these three groups at 45 percent, 30 percent, and 25 percent, respectively, and the formula for distribution has been based in general one-third on population, one-third on area, and one-third on road mileage.

The bill recently passed by the House, H. R. 9821, continued this arrangement and for the ABC highways and appropriated \$900 million for 1960 and \$925 million for 1961.

The Senate has made substantially this same provision except that it reduced the \$925 million appropriation for 1961 to \$900 million.

But the Senate has added a special additional \$400 million for the ABC roads for fiscal 1959. This new money will still be apportioned as above, 45 percent to primary, 30 percent to secondary, 25 percent to urban, except that 100 percent transferability is permitted. And for this new money, the matching grant basis will be 70 percent Federal, 30 percent State.

The President recommended continuation of the ABC program on the usual basis.

It is well known that the Federal grant-in-aid system has the effect of taking tax money paid by the citizens of the various States and redistributing it on a different basis from that on which the Federal Government received it from the States. This redistribution is often justifiable when the object for which the money is granted is one of truly national interest. It is unfair to some States when the money is applied to more local objectives.

With unlimited transferability, this new \$400 million can be applied by some States largely to secondary roads, of which farm-to-market roads are a part. While sectional interest should not be overemphasized, the taxpayers of the more thickly populated States should not be asked to contribute indirectly on a basis of 70 percent Federal grants for this type of aid for highways of predominantly local interest.

(Mr. CURTIS of Massachusetts asked and was given permission to revise and extend his remarks.)

#### AIRPLANE ACCIDENTS

(Mrs. ROGERS of Massachusetts asked and was given permission to address the House for 1 minute and to revise and extend her remarks and to include extraneous matter.)

Mrs. ROGERS of Massachusetts. Mr. Speaker, I hold in my hand a copy of the Washington Post. The headline is "Eighteen Die as Air Force Giants Collide—All in Both Planes Die."

On the same front page the headlines read "Plane Carrying 46 Circles Airport 2 Hours With Faulty Landing Gear." This plane was making its flight from Buenos Aires, Argentina, to New York. It was obliged to land at the National Airport in Washington. Fortunately there were no casualties.

I suggest, Mr. Speaker, that the Speaker of the House appoint a special committee to study the reasons for all of these airplane accidents, both civilian and military. Something is radically wrong. It may be sabotage and, of course, that certainly should be investigated. It may be faulty equipment or faulty policing or faulty preparations for making planes ready for flight. Whatever it is, we must remember that human life is very precious, and if we are going to lose more and more lives through accidents, particularly accidents which may be preventable, we are, indeed, in a terrible situation.

The newspaper stories follow:

**EIGHTEEN DIE AS TWO AIR FORCE GIANTS COLLIDE—ALL ON BOTH BIG PLANES ARE KILLED**

BRIDGEPORT, TEX., March 27.—Two huge Air Force transport planes, a C-124 Globemaster and a C-119 Flying Boxcar, collided above Bridgeport late today and plunged flaming to the ground, killing 18 men.

Both planes crashed on their backs, and there were no survivors. At 12 midnight (c. s. t.) the search for bodies was stopped until Friday. Fourteen of the 15 bodies of those aboard the Globemaster had been found and the bodies of all 3 men aboard the C-119 had been recovered.

A 15th passenger aboard the C-124 was missing and authorities said there was no doubt that he was killed.

Five of those aboard the C-124 were airborne hitchhikers—2 sailors, 2 Army men and an Air Force man.

The C-119 plunged straight down and crashed 100 yards from a farmer who was plowing in a field. He leaped from his tractor and fled but then realized that there wasn't any place to hide and stopped and watched it hit.

The pilot of the C-124 tried desperately to pull up and keep his craft aloft, but it also crashed, on the lip of a ravine, where it exploded and burned.

The C-119 was en route from Sheppard Air Force Base at Wichita Falls, Tex., to Carswell Air Force Base, near Ft. Worth. The other plane was from Hill Air Force Base, Utah, en route to Tinker Air Force Base at Oklahoma City.

The planes crashed about 2 miles apart, the nearest about a mile from Bridgeport.

Two victims of the crash were identified later by the Air Force at Ft. Worth. They were Capt. H. J. Thomas, pilot, and S. Sgt. C. T. Slaggle, engineer, both aboard the C-119. Their home addresses were given as Ft. Worth.

#### HUNDREDS DRAWN TO SCENE—PLANE CARRYING 46 CIRCLES AIRPORT 2 HOURS WITH FAULTY LANDING GEAR

An international airliner with 46 persons aboard circled National Airport for 2 hours yesterday when the pilot feared his landing gear was jammed.

The DC-6 was landed safely at 6:56 p. m. as hundreds of spectators, drawn to the field by radio reports, watched anxiously. Police, fire companies, crash equipment, and ambulances were dispatched to the airport shortly after Eastern Airlines Capt. J. B. Thompson, of Miami, notified the control tower an indicator showed trouble in the nose wheel.

The DC-6 took off from the airport for New York at 4:56 p. m. It landed after making a low pass that revealed to the tower and company mechanics that the landing gear was down.

The Braniff airliner, operated by Eastern Airlines on the United States leg of its flight from Buenos Aires, Argentina, to New York City, had a cracked axle in the nose wheel's shock absorber, Eastern officials discovered. Another plane took the passengers to New York.

Six District fire battalion chiefs were sent to the airport. Park Police kept traffic moving on George Washington Memorial Parkway and District Police kept the 14th Street and Memorial bridges clear in the event emergency runs were necessary. Hundreds of private cars converged on the area.

Copilot Wallace Steinbring, 34, was operating the plane when the panel indicator flashed red, indicating trouble with the landing gear. Thompson piloted the plane to its landing after the tense 2 hours of circling and attempts to determine whether the nose wheel was dangerously defective.

About half the 40 passengers boarded the plane in Washington, Eastern spokesmen said. Representative COUDERT, Republican, New York, was among the passengers.

And, from their own accounts, the passengers didn't show much fear. Fourteen-year-old Anne Hildt, of New York City, said, "I wasn't scared until just before we started to land, when the captain said all the ambulances and fire engines were waiting for us down below."

#### DEMOCRATS IN THE SADDLE

(Mr. SILER asked and was given permission to extend his remarks at this point.)

Mr. SILER. Mr. Speaker, the official roster of our United States Congress shows that both of its Houses are today substantially and undeniably controlled by the Democrat Party. Likewise, all



85TH CONGRESS  
2D SESSION

# H. R. 9821

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IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 1958

Ordered to be printed with the amendments of the Senate

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## AN ACT

To amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3                               FEDERAL-AID HIGHWAYS

4       SECTION 1. (a) (1) AUTHORIZATION OF APPROPRIA-  
5       TIONS.—For the purpose of carrying out the provisions of  
6       the Federal-Aid Road Act approved July 11, 1916 (39  
7       Stat. 355), and all Acts amendatory thereof and supple-  
8       mentary thereto, there is hereby authorized to be appro-  
9       priated the sum of \$900,000,000 for the fiscal year ending  
10      June 30, 1960; and the sum of \$925,000,000 for the fiscal

1 year ending June 30, 1961. The sums herein authorized  
2 for each fiscal year shall be available for expenditure as  
3 follows:

4     ~~(A)~~ 45 per centum for projects on the Federal-aid  
5 primary highway system.

6     ~~(B)~~ 30 per centum for projects on the Federal-aid  
7 secondary highway system.

8     ~~(C)~~ 25 per centum for projects on extensions of these  
9 systems within urban areas.

10     ~~(2)~~ APPORTIONMENTS.—The sums authorized by this  
11 section shall be apportioned among the several States in the  
12 manner now provided by law and in accordance with the  
13 formulas set forth in section 4 of the Federal-Aid Highway  
14 Act of 1944, approved December 20 1944 (58 Stat. 838).

15     ~~(b)~~ AVAILABILITY FOR EXPENDITURE.—Any sums  
16 apportioned to any State under this section shall be available  
17 for expenditure in that State for two years after the close of  
18 the fiscal year for which such sums are authorized, and any  
19 amounts so apportioned remaining unexpended at the end of  
20 such period shall lapse: *Provided*, That such funds shall be  
21 deemed to have been expended if a sum equal to the total  
22 of the sums herein and heretofore apportioned to the State  
23 is covered by formal agreements with the Secretary of Com-  
24 merce for construction, reconstruction, or improvement of  
25 specific projects as provided in this title and prior Acts:



1 *Provided further*, That in the case of those sums heretofore,  
2 herein, or hereafter apportioned to any State for projects  
3 on the Federal-aid secondary highway system, the Secretary  
4 of Commerce may, upon the request of any State, discharge  
5 his responsibility relative to the plans, specifications, esti-  
6 mates, surveys, contract awards, design, inspection, and con-  
7 struction of such secondary road projects by his receiving  
8 and approving a certified statement by the State highway  
9 department setting forth that the plans, design, and construc-  
10 tion for such projects are in accord with the standards and  
11 procedures of such State applicable to projects in this cate-  
12 gory approved by him: *Provided further*, That such ap-  
13 proval shall not be given unless such standards and proce-  
14 dures are in accordance with the objectives set forth in sec-  
15 tion 1 (b) of the Federal-Aid Highway Act of 1950:  
16 *And provided further*, That nothing contained in the fore-  
17 going provisos shall be construed to relieve any State of its  
18 obligation now provided by law relative to maintenance,  
19 nor to relieve the Secretary of Commerce of his obligation  
20 with respect to the selection of the secondary system or the  
21 location of projects thereon, to make a final inspection after  
22 construction of each project, and to require an adequate  
23 showing of the estimated and actual cost of construction of  
24 each project. Any Federal-aid primary, secondary, or urban  
25 funds released by the payment of the final voucher or by

1 modification of the formal project agreement shall be credited  
2 to the same class of funds, primary, secondary, or urban,  
3 previously apportioned to the State and be immediately  
4 available for expenditure.

5 FOREST HIGHWAYS AND FOREST DEVELOPMENT ROADS  
6 AND TRAILS

7 SEC. 2. (a) AUTHORIZATION OF APPROPRIATIONS.—

8 For the purpose of carrying out the provisions of section 23  
9 of the Federal Highway Act of 1921 (42 Stat. 218), as  
10 amended and supplemented, there is hereby authorized to  
11 be appropriated (1) for forest highways the sum of \$30,  
12 000,000 for the fiscal year ending June 30, 1960, and a  
13 like sum for the fiscal year ending June 30, 1961; and  
14 (2) for forest development roads and trails the sum of  
15 \$28,500,000 for the fiscal year ending June 30, 1960, and  
16 a like sum for the fiscal year ending June 30, 1961:  
17 *Provided*, That with respect to any proposed construction  
18 or reconstruction of a timber access road, advisory public  
19 hearings shall be held at a place convenient or adjacent to  
20 the area of construction or reconstruction with notice and  
21 reasonable opportunity for interested persons to present their  
22 views as to the practicability and feasibility of such con-  
23 struction or reconstruction: *Provided further*, That hereafter  
24 funds available for forest highways and forest development



1 roads and trails shall also be available for adjacent vehicular  
2 parking areas and for sanitary, water, and fire control  
3 facilities: *And provided further,* That the appropriation  
4 herein authorized for forest highways shall be apportioned  
5 by the Secretary of Commerce for expenditure in the several  
6 States, Alaska, and Puerto Rico in accordance with the  
7 provisions of section 3 of the Federal-Aid Highway Act  
8 of 1950.

9 ROADS AND TRAILS IN NATIONAL PARKS, AND SO FORTH

10 SEC. 3. (a) NATIONAL PARKS, AND SO FORTH.—For  
11 the construction, reconstruction, and improvement of roads  
12 and trails, inclusive of necessary bridges, in national parks,  
13 monuments, and other areas administered by the National  
14 Park Service, including areas authorized to be established as  
15 national parks and monuments, and national park and monu-  
16 ment approach roads authorized by the Act of January 31,  
17 1931 (46 Stat. 1053), as amended, there is hereby author-  
18 ized to be appropriated the sum of \$16,000,000 for the fiscal  
19 year ending June 30, 1960, and a like sum for the fiscal  
20 year ending June 30, 1961.

21 (b) PARKWAYS.—For the construction, reconstruction,  
22 and improvement of parkways, authorized by Acts of Con-  
23 gress, on lands to which title is vested in the United States,  
24 there is hereby authorized to be appropriated the sum of

1 \$16,000,000 for the fiscal year ending June 30, 1960, and  
2 a like sum for the fiscal year ending June 30, 1961.

3       ~~(c)~~ INDIAN RESERVATIONS AND LANDS.—For the  
4 construction, improvement, and maintenance of Indian reser-  
5 vation roads and bridges and roads and bridges to provide  
6 access to Indian reservations and Indian lands under the  
7 provisions of the Act approved May 26, 1928 (45 Stat.  
8 750), there is hereby authorized to be appropriated the sum  
9 of \$12,000,000 for the fiscal year ending June 30, 1960, and  
10 a like sum for the fiscal year ending June 30, 1961: *Pro-*  
11 *vided*, That the location, type and design of all roads and  
12 bridges constructed shall be approved by the Secretary of  
13 Commerce before any expenditures are made thereon, and  
14 all such construction shall be under the general supervision  
15 of the Secretary of Commerce.

16 PUBLIC LANDS HIGHWAYS

17       SEC. 4. For the purpose of carrying out the provisions  
18 of section 10 of the Federal-Aid Highway Act of 1950  
19 (64 Stat. 785), there is hereby authorized to be appro-  
20 priated for the survey, construction, reconstruction, and  
21 maintenance of main roads through unappropriated or unre-  
22 served public lands, nontaxable Indian lands, or other Fed-  
23 eral reservations the sum of \$2,000,000 for the fiscal year  
24 ending June 30, 1960, and a like sum for the fiscal year  
25 ending June 30, 1961.



1 SPECIAL PROVISIONS FOR FEDERAL DOMAIN ROADS, AND

2 SO FORTH

3 SEC. 5. Any funds authorized herein for forest high-  
4 ways, forest development roads and trails, park roads and  
5 trails, parkways, Indian roads, and public lands highways  
6 shall be available for contract upon apportionment, or a date  
7 not earlier than one year preceding the beginning of the  
8 fiscal year for which authorized if no apportionment is re-  
9 quired: *Provided*, That any amount remaining unexpended  
10 two years after the close of the fiscal year for which author-  
11 ized shall lapse. The Secretary of the department charged  
12 with the administration of such funds is hereby granted au-  
13 thority to incur obligations, approve projects, and enter into  
14 contracts under such authorizations, and his action in doing  
15 so shall be deemed a contractual obligation of the Federal  
16 Government for the payment of the cost thereof, and such  
17 funds shall be deemed to have been expended when so obli-  
18 gated. Any funds heretofore, herein, or hereafter author-  
19 ized for any fiscal year for forest highways, forest develop-  
20 ment roads and trails, park roads and trails, parkways, Indian  
21 roads, and public lands highways shall be deemed to have  
22 been expended if a sum equal to the total of the sums author-  
23 ized for such fiscal year and previous fiscal years since and  
24 including the fiscal year ending June 30, 1955, shall have  
25 been obligated. Any of such funds released by payment of

1 final voucher or modification of project authorization shall  
 2 be credited to the balance of unobligated authorizations and  
 3 be immediately available for expenditure.

4 RELATIONSHIP OF THIS ACT TO OTHER ACTS; EFFECTIVE  
 5 DATE

6 SEC. 6. All provisions of the Federal-Aid Road Act  
 7 approved July 11, 1916, together with all Acts amendatory  
 8 thereof or supplementary thereto, not inconsistent with this  
 9 Act, shall remain in full force and effect and be applicable  
 10 hereto. All Acts or parts of Acts in any way inconsistent  
 11 with the provisions of this Act are hereby repealed. This  
 12 Act shall take effect on the date of enactment.

13 SHORT TITLE

14 SEC. 7. This Act may be cited as the "Federal Highway  
 15 Act of 1958".

16 SEC. 1. FEDERAL-AID HIGHWAYS.

17 (a) (1) AUTHORIZATION OF APPROPRIATIONS.—For  
 18 the purpose of carrying out the provisions of the Federal-Aid  
 19 Road Act approved July 11, 1916 (39 Stat. 355), and all  
 20 Acts amendatory thereof and supplementary thereto, there  
 21 is hereby authorized to be appropriated the sum of \$900,000,-  
 22 000 for the fiscal year ending June 30, 1960; and the sum  
 23 of \$900,000,000 for the fiscal year ending June 30, 1961.  
 24 The sums herein authorized for each fiscal year shall be  
 25 available for expenditure as follows:



1           (A) 45 per centum for projects on the Federal-  
2           aid primary highway system.

3           (B) 30 per centum for projects on the Federal-  
4           aid secondary highway system.

5           (C) 25 per centum for projects on extensions of  
6           these systems within urban areas.

7       (2) APPORTIONMENTS.—The sums authorized by this  
8       section shall be apportioned among the several States in the  
9       manner now provided by law and in accordance with the  
10      formulas set forth in section 4 of the Federal-Aid Highway  
11      Act of 1944, approved December 20, 1944 (58 Stat. 838).

12      (b) AVAILABILITY FOR EXPENDITURE.—Any sums  
13      apportioned to any State under this section shall be available  
14      for expenditure in that State for two years after the close  
15      of the fiscal year for which such sums are authorized, and  
16      any amounts so apportioned remaining unexpended at the  
17      end of such period shall lapse: Provided, That such funds  
18      shall be deemed to have been expended if a sum equal to  
19      the total of the sums herein and heretofore apportioned to  
20      the State is covered by formal agreements with the Secretary  
21      of Commerce for construction, reconstruction, or improve-  
22      ments of specific projects as provided in this Act and  
23      prior Acts: Provided further, That in the case of those sums  
24      heretofore, herein, or hereafter apportioned to any State for

1 projects on the Federal-aid secondary highway system, the  
2 Secretary of Commerce may, upon the request of any State,  
3 discharge his responsibility relative to the plans, specifica-  
4 tions, estimates, surveys, contract awards, design, inspec-  
5 tion, and construction of such secondary road projects by  
6 his receiving and approving a certified statement by the  
7 State highway department setting forth that the plans,  
8 design, and construction for such projects are in accord with  
9 the standards and procedures of such State applicable to  
10 projects in this category approved by him: Provided further,  
11 That such approval shall not be given unless such standards  
12 and procedures are in accordance with the objectives set  
13 forth in section 1 (b) of the Federal-Aid Highway Act of  
14 1950: And provided further, That nothing contained in the  
15 foregoing provisos shall be construed to relieve any State  
16 of its obligation now provided by law relative to mainte-  
17 nance, nor to relieve the Secretary of Commerce of his obli-  
18 gation with respect to the selection of the secondary system  
19 or the location of projects thereon, to make a final inspection  
20 after construction of each project, and to require an adequate  
21 showing of the estimated and actual cost of construction  
22 of each project. Any Federal-aid primary, secondary, or  
23 urban funds released by the payment of the final voucher  
24 or by modification of the formal project agreement shall be  
25 credited to the same class of funds, primary, secondary, or



1 urban, previously apportioned to the State and be immedi-  
2 ately available for expenditure.

3       SEC. 2. (a) ADDITIONAL AUTHORIZATION OF AP-  
4 PROPRIATION OF FEDERAL-AID PRIMARY, SECONDARY,  
5 AND URBAN FUNDS.—For the purpose of carrying out the  
6 provisions of the Federal-Aid Road Act approved July 11,  
7 1916 (39 Stat. 355), and all Acts amendatory thereof and  
8 supplementary thereto, there is hereby authorized to be appro-  
9 priated for the fiscal year ending June 30, 1959, \$400,000,-  
10 000 in addition to any sums heretofore authorized for such  
11 fiscal year. The sum herein authorized shall be apportioned:  
12 (A) 45 per centum for projects on the Federal-aid primary  
13 highway system, (B) 30 per centum for projects on the  
14 Federal-aid secondary highway system, (C) 25 per centum  
15 for projects on extensions of these systems within urban areas  
16 among the several States immediately upon enactment of  
17 this Act in the manner now provided by law and in accord-  
18 ance with the formulas set forth in section 4 of the Federal  
19 Aid Highway Act of 1944, approved December 20, 1944  
20 (58 Stat. 838).

21       (b) The amounts authorized to be appropriated in sec-  
22 tion 2 (a) herein shall be available for expenditure pur-  
23 suant to contracts awarded by the State highway depart-  
24 ments prior to December 1, 1958, which shall provide for  
25 completion of construction prior to December 1, 1959, sub-

1 ject to delays caused by circumstances and conditions beyond  
2 the control of, and without the fault of any contractor on such  
3 contracts, and delays created by acts of God. Any amounts  
4 apportioned to a State under provisions of this section re-  
5 maining unexpended as above provided on December 1, 1958,  
6 shall lapse.

7 (c) The sums apportioned under this section shall be  
8 available for expenditure for projects on the primary or  
9 secondary Federal-aid systems, including extensions of these  
10 systems within urban areas, without limitation as to the  
11 percentage to be utilized on any system.

12 (d) The Federal share payable on account of any proj-  
13 ect provided for by funds made available under the provisions  
14 of this section shall be increased to 70 per centum of the  
15 total cost thereof plus, in any State containing unappro-  
16 priated and unreserved public lands and nontaxable Indian  
17 lands, individual and tribal, exceeding 5 per centum of the  
18 total area of all lands therein, a percentage of the remaining  
19 30 per centum of such cost equal to the percentage that the  
20 area of such lands in such State is of its total area: Provided,  
21 That such Federal share payable on any project in any State  
22 shall not exceed 95 per centum of the total cost of such  
23 project.

24 (e) AUTHORIZATION OF APPROPRIATION FOR IN-  
25 CREASING FEDERAL SHARE.—For the purpose of assisting



1 any State in meeting the requirements for State funds to  
2 match any sums apportioned to such State under the provi-  
3 sions of this section, there is hereby authorized to be appro-  
4 priated the sum of \$115,000,000, which sum may be used  
5 by the Secretary of Commerce upon the request of any State  
6 to increase the Federal share payable on account of any  
7 project provided for by funds made available under the  
8 provisions of this section: *Provided, That the amount of such*  
9 *increase of the Federal share shall not exceed two-thirds of*  
10 *the State's share of the cost of such project.*

11 (f) *REIMBURSEMENT.*—The total amount of such in-  
12 creases in the Federal share as are made pursuant to sub-  
13 section (e) above, shall be reimbursed to the Federal Govern-  
14 ment by making deductions of sums equal to the amounts  
15 expended for projects on the Federal-aid primary highway  
16 system, the Federal-aid secondary highway system and exten-  
17 sions of such systems in urban areas in two equal amounts  
18 from the amounts available to such State for expenditure on  
19 such highways under any apportionment of funds authorized  
20 to be appropriated therefor for the fiscal years ending  
21 June 30, 1961 and June 30, 1962.

22 (g) *CONTRACT AUTHORITY.*—Approval by the Secre-  
23 tary of Commerce of any project on account of which the  
24 Federal share is increased under the provisions of this sec-

1 tion shall be deemed a contractual obligation of the Federal  
2 Government for the payment of such increase in the Federal  
3 share, and such funds shall be deemed to have been expended  
4 when so obligated.

5 (h) It is hereby declared to be the intent of the Con-  
6 gress that the sum authorized under this section shall be  
7 supplementary to, and not in lieu of, any other sum hereto-  
8 fore or herein authorized for expenditure on the Federal-  
9 aid primary or secondary systems, including extensions of  
10 these systems within urban areas, and is made available for  
11 the purpose of immediate acceleration of the rate of highway  
12 construction on these systems beyond that being accomplished  
13 with funds otherwise authorized.

14 SEC. 3. FOREST HIGHWAYS AND FOREST DEVELOPMENT  
15 ROADS AND TRAILS.

16 (a) AUTHORIZATION OF APPROPRIATIONS.—For the  
17 purpose of carrying out the provisions of section 23 of the  
18 Federal Highway Act of 1921 (42 Stat. 218), as amended  
19 and supplemented, there is hereby authorized to be appro-  
20 priated (1) for forest highways the additional sum of  
21 \$10,000,000 for the fiscal year ending June 30, 1959, and  
22 the sum of \$36,000,000 for each of the fiscal years ending  
23 June 30, 1960, and June 30, 1961; and (2) for forest  
24 development roads and trails the additional sum of \$13,000,-  
25 000 for the fiscal year ending June 30, 1959, and the sum



1 of \$34,000,000 for each of the fiscal years ending June 30,  
2 1960, and June 30, 1961: Provided, That, with respect to  
3 any proposed construction or reconstruction of a timber  
4 access road, advisory public hearings may be held at a place  
5 convenient or adjacent to the area of construction or reconstruc-  
6 tion with notice and reasonable opportunity for interested  
7 persons to present their views as to the practicability and  
8 feasibility of such construction or reconstruction: Provided  
9 further, That hereafter funds available for forest highways  
10 and forest development roads and trails shall also be avail-  
11 able for adjacent vehicular parking areas and for sanitary,  
12 water, and fire control facilities: Provided further, That the  
13 same percentage of the amounts authorized under this sub-  
14 -section for forest highways for each of the fiscal years ending  
15 June 30, 1959, June 30, 1960, and June 30, 1961, shall be  
16 apportioned for expenditure in each State, Alaska, or Puerto  
17 Rico as was apportioned for expenditure in each State,  
18 Alaska, or Puerto Rico from funds authorized under this  
19 subsection for forest highways for the fiscal year ending June  
20 30, 1958: And provided further, That any State may trans-  
21 fer not to exceed the lesser of \$500,000 or 5 per centum of the  
22 amounts apportioned to such State under section 1 hereof to  
23 augment any apportionment made to such State for the con-  
24 struction, reconstruction, or improvement of forest highways  
25 pursuant to this section; and when so transferred such sums

1   *may be expended in the same manner as funds authorized by*  
2   *this section for such purposes.*

3       *(b) The Secretary of Commerce, in cooperation with*  
4   *the appropriate officers of each State containing a national*  
5   *forest, the Commonwealth of Puerto Rico, and the Territory*  
6   *of Alaska, shall make a study to determine—*

7           *(1) the forest roads of primary importance to a*  
8       *State, county, or community which are within, adjoin-*  
9       *ing, or adjacent to a national forest and have not been*  
10       *designated as forest highways;*

11          *(2) the amount necessary to complete construc-*  
12       *tion of all forest highways;*

13          *(3) the amounts necessary for the fiscal year*  
14       *ending June 30, 1962, and for each of the nine suc-*  
15       *ceeding fiscal years to survey, construct, reconstruct,*  
16       *and maintain (A) forest highways, and (B) roads*  
17       *described in paragraph (1) of this subsection if such*  
18       *roads were forest highways; and*

19          *(4) the method by which the amounts determined*  
20       *pursuant to paragraph (3) of this subsection should be*  
21       *apportioned for expenditure in the several States,*  
22       *Alaska, and Puerto Rico.*

23   *The Secretary of Commerce shall report the results of such*  
24   *study to the President and the Congress on or before*  
25   *January 1, 1960.*



1    **SEC. 4. ROADS AND TRAILS IN NATIONAL PARKS, ETC.**

2        *(a) NATIONAL PARKS, ETC.—For the construction,*  
3    *reconstruction, and improvement of roads and trails, inclusive*  
4    *of necessary bridges, in national parks, monuments, and other*  
5    *areas administered by the National Park Service, including*  
6    *areas authorized to be established as national parks and*  
7    *monuments, and national park and monument approach*  
8    *roads authorized by the Act of January 31, 1931 (46 Stat.*  
9    *1053), as amended, there is hereby authorized to be appro-*  
10   *priated the sum of \$20,000,000 for the fiscal year ending*  
11   *June 30, 1960, and a like sum for the fiscal year ending*  
12   *June 30, 1961.*

13        *(b) PARKWAYS.—For the construction, reconstruction,*  
14   *and improvement of parkways, authorized by Acts of Con-*  
15   *gress, on lands to which title is vested in the United States,*  
16   *there is hereby authorized to be appropriated the sum of*  
17   *\$16,000,000 for the fiscal year ending June 30, 1960, and*  
18   *a like sum for the fiscal year ending June 30, 1961.*

19        *(c) INDIAN RESERVATIONS AND LANDS.—For the*  
20   *construction, reconstruction, and improvement of Indian*  
21   *reservation roads and bridges and roads and bridges to pro-*  
22   *vide access to Indian reservations and Indian lands under*  
23   *the provisions of the Act approved May 26, 1928 (45 Stat.*  
24   *750), there is hereby authorized to be appropriated the*  
25   *sum of \$12,000,000 for the fiscal year ending June 30, 1960,*

1 *and a like sum for the fiscal year ending June 30, 1961:*  
2 *Provided, That the location, type, and design of all roads*  
3 *and bridges constructed shall be approved by the Secretary*  
4 *of Commerce before any expenditures are made thereon, and*  
5 *all such construction shall be under the general supervision*  
6 *of the Secretary of Commerce.*

7 **SEC. 5. PUBLIC LANDS HIGHWAYS.**

8 *For the purpose of carrying out the provisions of section*  
9 *10 of the Federal-Aid Highway Act of 1950 (64 Stat. 785),*  
10 *there is hereby authorized to be appropriated for the survey,*  
11 *construction, reconstruction, and maintenance of main roads*  
12 *through unappropriated or unreserved public lands, non-*  
13 *taxable Indian lands, or other Federal reservations the addi-*  
14 *tional sum of \$2,000,000 for the fiscal year ending June 30,*  
15 *1959, and the sum of \$4,000,000 for each of the fiscal years*  
16 *ending June 30, 1960, and June 30, 1961.*

17 **SEC. 6. SPECIAL PROVISIONS FOR FEDERAL DOMAIN ROADS,**  
18 **ETC.**

19 *Any funds authorized herein for forest highways, forest*  
20 *development roads and trails, park roads and trails, park-*  
21 *ways, Indian roads, and public lands highways shall be*  
22 *available for contract upon apportionment, or a date not*  
23 *earlier than one year preceding the beginning of the fiscal*  
24 *year for which authorized if no apportionment is required:*  
25 *Provided, That any amount remaining unexpended two*



1 years after the close of the fiscal year for which authorized  
2 shall lapse. The Secretary of the department charged with  
3 the administration of such funds is hereby granted authority  
4 to incur obligations, approve projects, and enter in con-  
5 tracts under such authorizations, and his action in doing so  
6 shall be deemed a contractual obligation of the Federal  
7 Government for the payment of the cost thereof, and such  
8 funds shall be deemed to have been expended when so  
9 obligated. Any funds heretofore, herein, or hereafter au-  
10 thorized for any fiscal year for forest highways, forest de-  
11 velopment roads and trails, park roads and trails, parkways,  
12 Indian roads, and public lands highways shall be deemed to  
13 have been expended if a sum equal to the total of the sums  
14 authorized for such fiscal year and previous fiscal years since  
15 and including the fiscal year ending June 30, 1955, shall  
16 have been obligated. Any of such funds released by pay-  
17 ment of final voucher or modification of project authorization  
18 shall be credited to the balance of unobligated authorizations  
19 and be immediately available for expenditure.

20 SEC. 7. (a) AUTHORIZATION OF APPROPRIATIONS  
21 FOR INTERSTATE SYSTEM.—Section 108 (b) of the Federal-  
22 Aid Highway Act of 1956 (70 Stat. 374) is hereby amended  
23 to read as follows:

24 “(b) AUTHORIZATION OF APPROPRIATIONS.—For the  
25 purpose of expediting the construction, reconstruction, or im-

1    *provement, inclusive of necessary bridges and tunnels, of the*  
2    *Interstate System, including extensions thereof through urban*  
3    *areas, designated in accordance with the provisions of section*  
4    *7 of the Federal-Aid Highway Act of 1944 (58 Stat. 838),*  
5    *there is hereby authorized to be appropriated the additional*  
6    *sum of \$1,000,000,000 for the fiscal year ending June 30,*  
7    *1957, which sum shall be in addition to the authorization*  
8    *heretofore made for that year, the additional sum of*  
9    *\$1,700,000,000 for the fiscal year ending June 30, 1958,*  
10    *the additional sum of \$2,200,000,000 for the fiscal year*  
11    *ending June 30, 1959, the additional sum of \$2,500,000,000*  
12    *for the fiscal year ending June 30, 1960, the additional sum*  
13    *of \$2,500,000,000 for the fiscal year ending June 30, 1961,*  
14    *the additional sum of \$2,200,000,000 for the fiscal year end-*  
15    *ing June 30, 1962, the additional sum of \$2,200,000,000*  
16    *for the fiscal year ending June 30, 1963, the additional sum*  
17    *of \$2,200,000,000 for the fiscal year ending June 30, 1964,*  
18    *the additional sum of \$2,200,000,000 for the fiscal year end-*  
19    *ing June 30, 1965, the additional sum of \$2,200,000,000*  
20    *for the fiscal year ending June 30, 1966, the additional sum*  
21    *of \$2,200,000,000 for the fiscal year ending June 30, 1967,*  
22    *the additional sum of \$1,500,000,000 for the fiscal year end-*  
23    *ing June 30, 1968, and the additional sum of \$1,025,000,-*  
24    *000 for the fiscal year ending June 30, 1969."*

25        (b) *APPORTIONMENTS.—Any portion of this additional*



1 *sum herein authorized for the fiscal year ending June 30,*  
2 *1959, that has not been apportioned heretofore shall be*  
3 *apportioned immediately upon enactment of this Act.*

4 **SEC. 8. APPROVAL OF ESTIMATE OF COST OF COMPLETING**  
5 **THE INTERSTATE SYSTEM.**

6 *The estimate of cost of completing the Interstate System*  
7 *in each State, transmitted to the Congress on January 7,*  
8 *1958, by the Secretary of Commerce pursuant to the provi-*  
9 *sions of section 108 (d) of the Act approved June 29, 1956*  
10 *(70 Stat. 374), and published as House Document Num-*  
11 *bered 300, Eighty-fifth Congress, second session, is hereby*  
12 *approved as the basis for making the apportionment of the*  
13 *funds authorized for the Interstate System for the fiscal year*  
14 *ending June 30, 1960.*

15 **SEC. 9. APPORTIONMENT OF FEDERAL-AID HIGHWAY**  
16 **FUNDS FOR FISCAL YEARS 1959 AND 1960.**—*Notwith-*  
17 *standing the provisions of section 209 (g) of the Act ap-*  
18 *proved June 29, 1956 (70 Stat. 374), the Secretary of Com-*  
19 *merce is authorized and directed to apportion among the sev-*  
20 *eral States in the manner provided by law, all of the funds*  
21 *authorized for the fiscal years 1959 and 1960, for the Inter-*  
22 *state System and the Federal-aid primary and secondary*  
23 *highway systems, including extensions thereof within urban*  
24 *areas.*

25 **SEC. 10.** *The first sentence of the second paragraph of*

1 section 13 of the Federal Highway Act, approved November  
2 9, 1921 (42 Stat. 212), is amended by inserting before the  
3 period at the end thereof the following: "plus the United  
4 States pro rata part of the value of the materials which  
5 have been stockpiled in the vicinity of such construction or  
6 reconstruction in conformity to said plans and specifications".

7 SEC. 11. (a) Subsection (a) of section 111 of the  
8 Federal-Aid Highway Act of 1956 is amended to read  
9 as follows:

10 "(a) AVAILABILITY OF FEDERAL FUNDS FOR REIM-  
11 BURSEMENT TO STATES.—Subject to the conditions contained  
12 in this section, whenever a State shall pay for the cost of relo-  
13 cation of utility facilities necessitated by the construction of a  
14 project on the Federal-aid primary or secondary systems or  
15 on the Interstate System, including extensions thereof within  
16 urban areas, Federal funds may be used to reimburse the  
17 State for such cost in the same proportion as Federal funds  
18 are expended on the project: Provided, That Federal funds  
19 shall not be apportioned to the States under this section when  
20 the payment to the utility violates the law of the State or  
21 violates a legal contract between the utility and the State:  
22 Provided, further, That such reimbursement shall be made  
23 only after evidence satisfactory to him shall have been pre-  
24 sented to the Secretary substantiating the fact that the State  
25 has paid such cost from its own funds."



1       (b) This section shall apply only with respect to Federal-  
2 aid highway projects for which Federal funds are obligated  
3 subsequent to the date of enactment of this Act for work,  
4 including relocation of utility facilities.

5       SEC. 12. The Federal-Aid Highway Act of 1956 (70  
6 Stat. 374) is amended by renumbering section 122 as sec-  
7 tion 123 and inserting a new section 122, as follows:

8       “SEC. 122. AREAS ADJACENT TO THE INTERSTATE SYSTEM.

9       “(a) NATIONAL POLICY.—To promote the safety, con-  
10 venience, and enjoyment of public travel and the free flow of  
11 interstate commerce and to protect the public investment in  
12 the National System of Interstate and Defense Highways,  
13 it is hereby declared to be in the public interest to encourage  
14 and assist the States to control the use of and to improve  
15 areas adjacent to the Interstate System by controlling the  
16 erection and maintenance of outdoor advertising signs, dis-  
17 plays, and devices adjacent to that system. It is hereby  
18 declared to be a national policy that the erection and main-  
19 tenance of outdoor advertising signs, displays, or devices  
20 within six hundred and sixty feet of the edge of the right-of-  
21 way and visible from the main-traveled way of all portions  
22 of the Interstate System constructed upon any part of right-  
23 of-way, the entire width of which is acquired subsequent to  
24 July 1, 1956, should be regulated, consistent with national  
25 standards to be prepared and promulgated by the Secretary,

1 *which shall include only the following four types of signs, and*  
2 *no signs advertising illegal activities:*

3       “(1) *Directional or other official signs or notices that*  
4 *are required or authorized by law.*

5       “(2) *Signs advertising the sale or lease of the property*  
6 *upon which they are located.*

7       “(3) *Signs erected or maintained pursuant to authoriza-*  
8 *tion or permitted under State law, and not inconsistent with*  
9 *the national policy and standards of this section, advertising*  
10 *activities being conducted at a location within twelve miles of*  
11 *the point at which such signs are located.*

12       “(4) *Signs erected or maintained pursuant to author-*  
13 *ization in State law and not inconsistent with the national*  
14 *policy and standards of this section, and designed to give*  
15 *information in the specific interest of the traveling public.*

16       “(b) *AGREEMENTS.—The Secretary of Commerce is*  
17 *authorized to enter into agreements with State highway de-*  
18 *partments (including such supplementary agreements as may*  
19 *be necessary) to carry out the national policy set forth in*  
20 *subsection (a) of this section with respect to the Interstate*  
21 *System within the State. Any such agreement shall include*  
22 *provisions for regulation and control of the erection and*  
23 *maintenance of advertising signs, displays, and other adver-*  
24 *tising devices in conformity with the standards established in*  
25 *accordance with subsection (a) and may include, among*



1 other things, provisions for preservation of natural beauty,  
2 prevention of erosion, landscaping, reforestation, develop-  
3 ment of viewpoints for scenic attractions that are accessible  
4 to the public without charge, and the erection of markers,  
5 signs, or plaques, and development of areas in appreciation  
6 of sites of historical significance. Upon application of the  
7 State, any such agreement may, within the discretion of the  
8 Secretary of Commerce, consistent with the national policy,  
9 provide for excluding from application of the national stand-  
10 ards segments of the Interstate System which traverse incor-  
11 porated municipalities wherein the use of real property  
12 adjacent to the Interstate System is subject to municipal regu-  
13 lation or control, or which traverse other areas where the land  
14 use is clearly established by State law as industrial or commer-  
15 cial: Provided, however, That any such segment excluded  
16 from the application of such standards shall not be considered  
17 in computing the increase of the Federal share payable on  
18 account thereof.

19 “(c) *FEDERAL SHARE*.—Notwithstanding the provisions  
20 of section 2 of the Federal-Aid Highway Act of 1944 (58  
21 Stat. 838), if an agreement pursuant to this section has  
22 been entered into with any State prior to July 1, 1961,  
23 the Federal share payable on account of any project on the  
24 Interstate System within that State provided for by funds  
25 authorized under the provisions of section 108 of this Act, to

1   *which the national policy and the agreement apply, shall be*  
2   *increased by one-half of one per centum of the total cost*  
3   *thereof, not including any additional cost that may be in-*  
4   *curred in the carrying out of the agreement: Provided, That*  
5   *the increase in the Federal share which is payable hereunder*  
6   *shall be paid only from appropriations from moneys in the*  
7   *Treasury not otherwise appropriated, which such appropria-*  
8   *tions are hereby authorized.*

9       “(d) *Whenever any portion of the Interstate System*  
10   *is located upon or adjacent to any public lands or reserva-*  
11   *tions of the United States, the Secretary of Commerce may*  
12   *make such arrangements and enter into such agreements*  
13   *with the agency having jurisdiction over such lands or reser-*  
14   *vations as may be necessary to carry out the national policy*  
15   *set forth in subsection (a) of this section, and any such*  
16   *agency is hereby authorized and directed to cooperate fully*  
17   *with the Secretary of Commerce in this connection.*

18       “(e) *Whenever a State shall acquire by purchase or*  
19   *condemnation the right to advertise or regulate advertising*  
20   *in an area adjacent to the right-of-way of a project on the*  
21   *Interstate System for the purpose of implementing this sec-*  
22   *tion, the cost of such acquisition shall be considered as a*  
23   *part of the cost of construction of such project and Federal*  
24   *funds may be used to pay the Federal pro rata share of such*



1 cost: *Provided, That reimbursement to the State shall be*  
 2 *made only with respect to that portion of such cost which*  
 3 *does not exceed 5 per centum of the cost of the right-of-way*  
 4 *for such project."*

5 *SEC. 13. Section 116 (c) of the Federal-Aid Highway*  
 6 *Act of 1956 is amended by inserting therein, immediately*  
 7 *before the colon preceding the proviso, a semicolon and the*  
 8 *following: "and any State highway department which sub-*  
 9 *mits plans for an Interstate System project shall certify to*  
 10 *the Commissioner of Public Roads that it has had public*  
 11 *hearings at a convenient location, or has afforded the oppor-*  
 12 *tunity for such hearings, for the purpose of enabling persons*  
 13 *in rural areas through or by whose property the highway*  
 14 *will pass to express any objections they may have to the*  
 15 *proposed location of such highway'".*

16 **SEC. 14. RELATIONSHIP OF THIS ACT TO OTHER ACTS: EFFEC-**  
 17 **TIVE DATE.**

18 *All provisions of the Federal-Aid Road Act approved*  
 19 *July 11, 1916, together with all Acts amendatory thereof*  
 20 *or supplementary thereto, not inconsistent with this Act,*  
 21 *shall remain in full force and effect and be applicable hereto.*  
 22 *All Acts or parts of Acts in any way inconsistent with the*  
 23 *provisions of the Act are hereby repealed. This Act shall*  
 24 *take effect on the date of enactment.*

1 SEC. 15. SHORT TITLE.

2        *This Act may be cited as the “Federal-Aid Highway*  
3   *Act of 1958”.*

Passed the House of Representatives March 13, 1958.

Attest: RALPH R. ROBERTS,  
*Clerk.*

Passed the Senate with amendments March 27, 1958.

Attest: FELTON M. JOHNSTON,  
*Secretary.*





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## AN ACT

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To amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 1958

Ordered to be printed with the amendments of the  
Senate









MARCH 31, 1958

16. TEXTILES. Sen. Johnston blamed current conditions in the textile industry to "the flood of textiles from Japan," and urged the Administration to provide aid for the textile industry. pp. 5167-68
- HOUSE
17. APPROPRIATIONS. Passed under suspension of the rules H. J. Res. 588, to allow Federal agencies to purchase up to 50% of the materials and supplies budgeted in their 1959 estimates, in order to accelerate expenditures. pp. 5183-5
- Continued debate on H. R. 10589, the general government matters appropriation bill for 1959 (pp. 5199-5204). Adopted an amendment by Rep. Gross to forbid the use of any Federal funds for "publicity of propaganda purposes designed to support or defeat legislation pending before Congress" (p. 5204).
- ~~Reporting H. R. 11645, the Labor-HEW appropriation bill, (see Digest 50)~~  
the committee made comments as follows:
- Mexican farm labor. "...last year it was obvious from the debate that a great many Members felt that if the program were continued at all it should be fully paid for by those growers who receive the benefits of the program. ... While logical arguments can be made for the growers bearing the entire cost of this program through the revolving fund into which their fees are paid, it appears to the Committee that the activity for securing compliance with contract provisions should not be so financed. To do so, would be placing the employees who are policing the program in the position of being dependent, upon fees paid by those being policed, for their salaries."
18. PUBLIC WORKS. Received the conference report on S. 497, the rivers and harbors and flood control bill (H. Rept. 1588). pp. 5185-99
19. RETIREMENT. Passed with amendment S. 72, to increase the annuities of certain Civil Service annuitants, after substituting the language of H. R. 607, which had been passed with an amendment (pp. 5204-23). Accepted Rep. Murray's amendment to extend the date for an option of choice to Jan. 1, 1959, instead of Jan. 1, 1958 (p. 5220), and accepted the Committee amendments (p. 5222). Rejected two amendments by Rep. Broyhill, to insert the Senate-approved language of S. 72 (pp. 5216-18) and to remove the total \$4,104 annuity limitation (pp. 5218-19), and an amendment by Rep. Hyde to remove the \$1,200 limitation on earned income (pp. 5220-22).
20. LIFE INSURANCE. Passed as reported S. 1740, to authorize the payment from the Employer's Life Insurance Fund of expenses incurred by CSC in assuming and maintaining the assets and liabilities of certain beneficial associations. pp. 5223-5
21. LOANS. The Agriculture Committee ordered reported H. R. 11424, to extend until 1961 the authority of the Secretary to extend special livestock loans. p. D280
22. WATERSHEDS. The Agriculture Committee approved "a watershed project in the respective States of New Mexico, New York, Wisconsin, and Oklahoma." p. D280
23. ROADS. Rep. Davis was appointed to take the place of Rep. Jones, Ala., as a conferee on H. R. 9821, the road authorization bill. p. 5183
24. FOREIGN TRADE. Rep. Lesinski discussed the relative importance of foreign trade in his constituency, and concluded that "the facts show that foreign trade programs benefit all." pp. 5225-6
25. FEDERAL AID. Rep. Keating criticized certain States for failing to use sums granted them by the Federal Government while asking for more money to solve unemployment problems. pp. 5227-8

26. REPORTS. Received from the Justice Department a report of their activities for fiscal year 1957. p. 5244
27. ACCOUNTING. Received a Calif. Legislature memorial on "Federal accounting practices." p. 5245

#### ITEMS IN APPENDIX

28. EXPENDITURES. Extension of remarks of Rep. Alger inserting his weekly newsletter commenting on the amounts appropriated recently by Congress and stating, "the economy drive is long forgotten." p. A3022
29. BUILDINGS. Extension of remarks of Rep. Bass inserting an editorial, "Eisenhower Lease-Purchase Gets Ax It Has Deserved," and stating that "It is my opinion that this article clearly points out the disadvantages and failure of the lease-purchase program." pp. A3022-3
30. FOREIGN AID. Extension of remarks of Sen. Robertson inserting an article commenting on the proposal of Sen. Monroney, to finance foreign economic aid through the International Development Ass'n rather than by Government appropriations. p. A3023
31. FARM PROGRAM. Extension of remarks of Sen. Neuberger inserting a letter to the editor and stating that "it points out, quite correctly, that Government subsidies do not reach three-fourths of all the farms in the country." pp. A3026-7
- Rep. Goss inserted an editorial urging the President to approve the measure to freeze price supports and acreage allotments. p. A3030
- Rep. Cunningham inserted R. K. Bliss', Extension Service, Iowa State College, radio talk, "Our Changing Agriculture." pp. A3031-2
- Extension of remarks of Rep. O'Konski criticizing the veto of the freeze measure and stating, "The hucksters who inspired this veto will be noted for urging billions for people all over the world, but would not spend \$15 million to increase income for dairy farmers by \$250 million." p. A3055
32. FOREIGN TRADE. Extension of remarks of Rep. Boggs inserting an article reviewing the various provisions of the Trade Agreements Act. pp. A3044-5
33. ELECTRIFICATION. Extension of remarks of Rep. Mason stating that "25 years ago the greatest 'milking-machine' in the history of the Nation was set up-- the Tennessee Valley Authority," and inserting an editorial on this subject. pp. A3057-8

#### BILLS INTRODUCED

34. SURPLUS COMMODITIES. S. 3577, by Sen. Hill (for himself and Sen. Scott, and H. R. 11791, by Rep. Metcalf, to authorize the Secretary of Agriculture to provide varied commodities to schools and institutions and for needy persons and families out of funds appropriated for diversion of surplus agricultural commodities; to Agriculture and Forestry Committee and Agriculture Committee. Remarks of Sen. Hill. pp. 5096-7. Remarks of Rep. Metcalf. pp. 5226-7
35. APPROPRIATIONS. S. 3578, by Sen. Mansfield, to prohibit the withholding or impoundment of appropriations; to Government Operations Committee.



# House of Representatives

MONDAY, MARCH 31, 1958

The House met at 12 o'clock noon.

Rev. Francis Czerniawski, of Cohoes, N. Y., offered the following prayer:

Our God and Father, Almighty Creator of the universe, who endowed all peoples with love of their countries and freedom, help us to understand, on the 40th anniversary of Byelorussian independence, that only freedom under Thee will lead our country and its people to happiness. We implore Thee, be merciful to us, to our people and our homeland, Byelorussia, which suffers in slavery. Restore our liberty and prosperity that we in freedom may glorify Thy holy name.

Bless this, our beloved country, the United States of America. Inspire, protect, and guide our statesmen leaders that the light of freedom may always burn brightly in the hearts of the United States and the flame spread to engulf all nations and peoples.

*Our Father, who art in heaven, hallowed be Thy name; Thy kingdom come; Thy will be done on earth as it is in heaven. Give us this day our daily bread; and forgive us our trespasses, as we forgive those who trespass against us; and lead us not into temptation; but deliver us from evil.*

Amen.

## THE JOURNAL

The Journal of the proceedings of Friday, March 28, 1958, was read and approved.

## CORRECTION OF RECORD

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to correct the permanent RECORD of Friday, March 28, 1958, in two instances.

First on page 5073 in the third column, the name "Georgio" should be changed to "DiGiorgio."

Second, toward the middle third of the second column on page 5075, the name "Hall" should be changed to "Hale" and the name of the "Broadway-Hall" Stores should be changed to "Broadway-Hale" Stores.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

## CONFEREES ON H. R. 9821

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that I may be excused as a conferee on the bill H. R. 9821, which has been sent to conference, and that the Speaker be authorized to appoint a substitute in my place.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER. The Chair appoints the gentleman from Tennessee [Mr. DAVIS] to serve as conferee, and the Senate will be notified of the action taken.

## SHIPPING ARMS TO CUBA

(Mr. PORTER asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PORTER. Mr. Speaker, last Wednesday in a special order I called, as others have called, on our Government to stop shipping arms to Cuba. I pointed out that our arms were being used in violation of treaties between us and Cuba and were identifying us with the vicious police state ruled by Batista.

Today the State Department has made available to me a statement which declares we have, finally, suspended shipments of arms to Cuba. It is a fine statement, another sign of a new and better Latin American foreign policy:

In authorizing shipments of arms to other countries under the mutual security program, it has been our consistent practice to weigh carefully those consigned to areas where political tensions have developed. We wish to be assured, for example, that the arms are destined for uses consistent with the objectives of our mutual security legislation. The shipment of 1,950 Garand rifles, purchased by the Cuban Government, was temporarily suspended to allow us the opportunity of consulting further with the appropriate Cuban officials.

As for the situation in Cuba, it is a matter of sympathetic concern to all of us as friends and neighbors. It would be entirely contrary to our policy to intervene in its internal affairs and we do not intend to become involved. We do hope the Cuban Government and people themselves will soon find a peaceful and democratic solution. They are the only ones who can, as well as being the only ones who should, resolve the issue.

(Mr. VANIK asked and was given permission to extend his remarks at this point in the RECORD.)

[Mr. VANIK'S remarks will appear hereafter in the Appendix.]

## CORRECTION OF ROLL CALL

Mr. NEAL. Mr. Speaker, I ask unanimous consent to correct the RECORD on rollcall No. 4. I am reported as not present. I was present and voted on that date, and I ask unanimous consent that the RECORD be corrected accordingly.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## THE STORY OF FREE ENTERPRISE

(Mr. ALGER asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ALGER. Mr. Speaker, how many of you recall that as youngsters any early symptom of illness was the signal for your mother to begin concocting some fearful brew—her special remedy for whatever might ail you. As I survived each childhood sickness, my mother's faith in the efficacy of her cure-all grew indestructible.

Bless her heart, she was trying; but it occurred to me that my God-given constitution was a marvelous thing. With its built-in recuperative powers, it could not only cope with the ordinary ills which beset a fellow, but it could overcome the additional handicaps imposed by these foul, but well-intentioned ministrations.

What of our economic ills? Unfettered, our free enterprise system can react promptly and forcefully to correct any malfunction in its own operation. But we have been subjecting this system, the envy of the world, to a lot of political home remedies for a good many years now. Thus far it has survived its own inherent ills, in spite of the galloping inflation, overwhelming debt and taxation, and crippling restrictions resulting from liberal doses of political remedies. But can we not create difficulties, insurmountable even by this wonderful system which has given us so much?

It strikes me that free enterprise might be likened to the two powerful and healthy mules which were laboring heavily to pull a wagon along a dusty country road. By way of being helpful, the fellow on the wagon seat was yelling imprecations and lustily swatting their already straining hindquarters.

Finally, the driver pulled his sweating team to a halt beside a man sitting on a fence and asked, "Pardner, how long is this durn hill anyway?"

The bystander eyed him reflectively for a moment, spat, and said, "Fellow, you ain't on no hill—your hind wheels is off."

## ADVANCE PROCUREMENT APPROPRIATIONS, 1958

Mr. CANNON. Mr. Speaker, by direction of the Committee on Appropriations, and under consent previously secured, I move to suspend the rules and pass the resolution (H. J. Res. 588) making advance procurement appropriations for the fiscal year 1958, and for other purposes.

The Clerk read the title of the resolution.

The SPEAKER. Is a second demanded?



Mr. TABER. Mr. Speaker, I demand a second.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, suspension of the rules of the House is an extraordinary parliamentary recourse. It is a drastic procedure, and in a sense is a bit unfair, because it cuts off the right of debate and precludes the offering of amendments. Accordingly, it is resorted to only in extraordinary cases.

But this is an extraordinary occasion, Mr. Speaker; we are in the midst of a depression. It is sincerely to be hoped that we have reached the bottom and are now on the way back up, but without exception all reports received in this morning's mail from the various weekly reporting agencies are gravely conservative. Here are quotations from some of the most authoritative of this morning's reports:

All recession signs are a little bit worse.

The facts about the recession are not good.

Recession has now reached a stage when it touches consumers.

Both sides have underestimated the nature and probable extent of the downslide.

Repossessions are showing an upturn, reflecting unemployment and reduced-income problems.

Things are getting rough. The psychology of the recession is feeding the recession.

No sudden upturn can be expected merely as result of money ease or tax cuts.

Corroborating these estimates, unemployment is rising. Business activity has slackened. The cost of living is pricing consumers out of many markets. And the deficit for the fiscal year 1959 is estimated by the reporting agencies from a low of \$3 billion to as much as \$16 billion.

To meet this situation the President transmitted to Congress on March 26 a message recommending that not to exceed 50 percent of the amounts included in the 1959 estimates, for supplies, materials, and equipment for the departments be made immediately available for expenditure. The Department of Defense, the mutual security program, and the legislative and judicial branches of the Government were not included.

These expenditures are to be charged to the 1959 appropriations when made, and do not involve additions to the 1959 budget.

The purpose is to advance expenditures by 90 days in order to accelerate business activity and reduce unemployment.

Immediately upon receipt of the message a special subcommittee was appointed consisting of members of all subcommittees which have not yet reported.

Hearings were held the next morning and have been printed and are now available at the desk. In the hearings it developed that the estimate of \$840 million dollars referred to in the message could not be provided under the plan proposed and eventually the representative of the Bureau of the Budget con-

ceded that the outside amount of possible expenditures under the program could not exceed \$200 million, a little less than one-fourth of the amount indicated in the message.

Other questions arose and doubt was expressed as to whether supporting the markets in this manner would effect a remedy. If buying is to be encouraged prices must be reduced. And unseasonable purchases firm prices rather than reduce them.

Furthermore, if money is provided to buy 90 days in advance, what will be the effect on the market when these purchases would normally have been made and there are no funds to provide the routine expenditures. Would not a flood of expenditures 90 days in advance produce a drought at the time the money would normally have been spent?

But the subcommittee and the committee are anxious to cooperate with the President in any recommendation to remedy the situation and have reported out the joint resolution in the exact language submitted in the message and unanimously recommend its prompt adoption by the House without amendment.

Mr. Speaker, in order to remedy a depression we must necessarily consider the cause of the depression. And while I hesitate to quote statistics I desire to submit three figures which explain concisely and briefly the cause of the situation in which we find ourselves.

The total amount of the taxes collected by the United States Government from 1792 in Washington's administration to 1948 was \$316 billion. From 1948 to 1953 the amount collected was \$247 billion. And from 1953 to 1958 the amount collected and spent was \$366 billion.

Here it is in tabulated form:

	Billion
Jan. 1, 1792, to Jan. 1, 1948.....	\$316
Jan. 1, 1948, to Jan. 1, 1953.....	247
Jan. 1, 1953, to Jan. 1, 1958.....	366

From 1792 to 1948, a period of 156 years, we fought all our victorious wars, the War of 1812, the Mexican War, the Civil War, the Spanish American War and both world wars—for \$316 billion. Then from 1948 to 1953, a period of 5 years we collected—and spent \$247 billion, although we did pay something on the national debts, and we fought the Korean war. But from 1953 to 1958, a like period of 5 years we collected—and spent more than \$366 billion and increased the national debt.

And let me emphasize the fact, Mr. Speaker that the increases were in non-defense items. Not only did we collect—and spend—the largest amount of money that ever flowed into the treasury of any nation in the world but we spent money we did not have for things we could have done without. Our bonds went down and our national debt went up. The purchasing power of the dollar went down and the cost of living went up.

The reckless, profligate, irresponsible spending of these last years of these vast amounts is without parallel in history. We should have reduced expenditure and reduced the public debt and supported our bonds and laid away something for the rainy day. But like the grasshopper

which sang and danced in the summer sun, heedless of the future, we increased expenditure as fast as revenues increased when any sane man knew that the money trees could not bloom forever.

Instead of using this golden stream of new revenue to curtail expenditure and control inflation we spent it as fast as it came in—and more.

Today the dollar is so depreciated and the cost of living so high that children go hungry to bed.

This administration is responsible for recommending and countenancing these prodigal expenditures. And this Congress is responsible for appropriating the billions of extra dollars that should have been applied on our debts.

And that is why we are here considering this extraordinary motion to suspend the rules and attempt something of which no previous administration or previous Congress has ever dreamed of doing before.

Mr. TABER. Mr. Speaker, I yield myself 12 minutes.

Mr. Speaker, this is a motion to suspend the rules to permit the advance procurement of items covered for supplies, materials, and equipment up to 50 percent of the total of each item in each bill that is appropriated for the fiscal year 1959 in advance of the 30th day of June 1958.

The total amount that could be spent in this way is set forth at page 37 of the hearings—\$195 million. Some of the agencies would not be able to procure any more goods, no matter what they did, than they are able to procure now in the line of supplies, materials, and equipment. Others could spend a considerable amount.

For instance, among the independent offices it would run \$54.5 million. In the Department of Agriculture it would run \$7 million. In the Department of Commerce it would run \$36 million; in the Department of the Interior \$13 million; in the Post Office Department \$41 million; and in the Treasury Department \$15 million. There are many other items, but they are smaller.

This is a bill which is designed to start the wheels moving to a certain extent on some things. Undoubtedly it will place more money in circulation in the period between now and June 30 than would be placed in circulation by all four of what have been called the major groups that would call for money out of the Treasury. I name those four groups: First, the stepped-up operations of the Bureau of Reclamation; second, the stepped-up operations of the Civil Functions Agency; third, the stepped-up operations of the Public Buildings Administration; and fourth, the stepped-up operations of the highway construction program. It probably is of more value from the standpoint of maintaining prices and putting a little money in circulation than anything else that we have had to consider. But frankly, I do not belong to that school which believes that we can help get out of a depression in that way, if this is a depression.

Mr. GROSS. Mr. Speaker, will the gentleman yield?









# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued April 2, 1958  
For actions of April 1, 1958  
85th-2d, No. 53

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HIGHLIGHTS: House passed: Agricultural appropriation bill. General government matters appropriation bill. Conferees agreed to file report on road authorization bill. House received President's request for mutual security appropriations. Senate committee reported bill for immediate appropriations to accelerate procurement programs. Sen. Proxmire charged Secretary with favoring corporations instead of dairy farmers.

## HOUSE

1. APPROPRIATIONS. Passed without amendment H. R. 11767, the agricultural appropriation bill for 1959. pp. 5321-69

Rejected amendments by Rep. Knutson to increase the school lunch program from \$100,000,000 to \$145,000,000 (pp. 5361-65), and Rep. Reuss to exempt wildlife conservation practices under the conservation reserve program from the provision limiting payments under the program to 20% of the value of the land (pp. 5365-66).

Passed with amendment H. R. 10589, the general Government matters appropriation bill for 1959. pp. 5313-14

Received from the President appropriations estimate of \$3,942,092,500 in 1959 for the mutual security program (H. Doc. 363); to Appropriations Committee. p. 5388

2. ROADS. The conferees were granted permission until midnight Tues., Apr. 1, to file a report on H. R. 9821, the road authorization bill. pp. 5312-13  
The "Daily Digest" states that the conferees agreed to file a report which includes provisions as follows:  
"... authorize an additional \$5 million for forest highway systems in fiscal 1959, and \$33 million for each of the fiscal years 1960 and 1961... authorize an additional \$5 million for forest development roads and trails for fiscal 1959, and \$30 million for each of the fiscal year 1960 and 1961 ... require a study of needed improvements on the forest highway system and a report thereon to Congress on or before January 1, 1960." pp. D287-88
3. HOUSING. Both Houses received from the President his message approving S. 3418, to stimulate housing construction. The message criticized certain provisions of the bill and requested Congress "to enact legislation providing interest rates for VA-guaranteed and direct loans sufficiently flexible to assure private participation, and eliminating the par-purchase requirements on Government mortgage purchases, so that the taxpayers will not be called upon to do what private investors should, can, and will do -- so that in this field our free enterprise system may have the fullest opportunity to work." (S. Doc. 86 pp. 5297-98, 5384-85
4. WATERSHEDS. Received from the Agriculture Committee a letter approving work plans for the following watershed projects: Zuber Draw, N. Mex., Cowaselon Creek, N. Y.; Little Deep Fork Creek, Okla., and Mill Creek, Wisc. The work plans were referred to the Appropriations Committee. p. 5369
5. FLOOD CONTROL. Agreed to the conference report on S. 497, the rivers and harbors and flood control authorization bill. pp. 5314-16
6. PRICE SUPPORTS. Rep. Meader inserted his letters to the Secretary and the President requesting that reconsideration be given "to the order reducing dairy price supports and modify it." pp. 5385-86
7. FARM PRICES. Rep. Hill inserted a release from this Department indicating that the index of prices received by farmers increased 4 percent for the month ending in mid-March. He also inserted figures showing the increase in farmer net income for certain Mountain States in 1957 over 1956. p. 5312
8. PLYWOOD IMPORTS. Rep. Mack, and others, contended that the import of Japanese plywood was having an adverse effect on the American plywood industry. pp. 5370-80
9. ECONOMIC SITUATION. Rep. O'Neill urged that the U. S. accelerate public works programs, including the road and water pollution programs, to provide additional employment opportunities. pp. 5380-81
10. MONOPOLIES. Rep. Patman spoke in favor of legislation for stricter regulation of monopolistic practices in industry, and referred to a recent statement of FCC Commissioner Anderson urging the frozen food industry "to discontinue their alleged practice of granting discriminatory prices and thereby avert competitive disaster, monopolies, and consequent rigid Government regulation." pp. 5381-82



## NOT VOTING—16

Bricker	Jenner	Monroney
Capehart	Johnson, Tex.	Pastore
Clark	Knowland	Schoeppel
Eastland	Long	Scott
Hayden	Magnuson	
Jackson	Malone	

So Mr. KNOWLAND's motion was agreed to.

Mr. SALTONSTALL. Mr. President, I move that the vote by which the motion was agreed to be reconsidered.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from California to lay on the table.

The motion to lay on the table was agreed to.

## ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent at this time that when the Senate concludes its business tonight, it adjourn to meet at 12 o'clock noon tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

## LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, the Senate will meet at 12 o'clock noon tomorrow, and after the morning hour the Senate will proceed to the consideration

of the conference report on the rivers and harbors bill.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HICKENLOOPER. Does the Senator expect any more votes to be taken this evening?

Mr. MANSFIELD. No.

Mr. HICKENLOOPER. I thank the Senator from Montana.

## CERTAIN PUBLIC WORKS ON RIVERS AND HARBORS—CONFERENCE REPORT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 497), authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the report.

## ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, April 1, 1958, he presented to the President of the United States the enrolled bill (S. 3262) to au-

thorize certain activities by the Armed Forces in support of the VIII Olympic Winter Games, and for other purposes.

## ADJOURNMENT

Mr. MANSFIELD. Mr. President, under the order previously entered, I move that the Senate stand in adjournment until noon tomorrow.

The motion was agreed to; and (at 7 o'clock and 15 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, April 2, 1958, at 12 o'clock meridian.

## NOMINATIONS

Executive nominations received by the Senate April 1 (legislative day of March 31), 1958:

## IN THE ARMY

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 3962:

*To be lieutenant general*

Lt. Gen. Lemuel Mathewson, O14980, Army of the United States (major general, U. S. Army).

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

Maj. Gen. Thomas Leonard Harrold, O16051, United States Army, in the rank of lieutenant general.



# House of Representatives

TUESDAY, APRIL 1, 1958

The House met at 11 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

John 3: 16: *For God so loved the world that He gave His only begotten Son, that whosoever believeth in Him should not perish, but have everlasting life.*

Eternal God, our Father, we have entered upon Holy Week, reminding us of events and experiences in the life of our blessed Lord, whose solemn and sacred significance our finite minds cannot comprehend.

Grant that we may be filled with a penitent and humble spirit as we turn to the cross to meditate upon the sufferings and sacrifice of the lowly man of Galilee, the great Captain of our salvation.

May these days be for all of us not merely a time of commemoration but of consecration when we are surrendering and dedicating ourselves anew in love and obedience to Thy divine will.

To Thy name we lift our hearts in praise. Amen.

## THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 1140. An act to amend Public Law 85-56 to permit persons receiving retired pay for nonregular service to waive receipt of a portion of that pay to receive pensions or compensation under laws administered by the Veterans' Administration;

H. R. 4815. An act to provide permanent authority for the Postmaster General to establish postal stations at camps, posts, or stations of the Armed Forces, and at defense or other strategic installations, and for other purposes;

H. R. 7907. An act relating to contracts for the conduct of contract postal stations, and for other purposes; and

H. R. 7910. An act to revise the laws relating to the handling of short paid and undeliverable mail, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 776. An act to permit temporary free importation of automobiles and parts of automobiles when intended solely for show purposes;

H. R. 5005. An act to suspend for 2 years the duty on crude chicory and to amend the Tariff Act of 1930 as it relates to chicory;

H. R. 5382. An act to amend sections 102, 301, and 302 of the Servicemen's and Veterans' Survivor Benefits Act;

H. R. 8794. An act to provide an exemption from the tax imposed on admissions for ad-

missions to certain musical performances; and

H. R. 9240. An act to revise certain provisions of law relating to the advertisements of mail routes, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2715. An act to disestablish the Balls Bluff National Cemetery, Loudoun County, Va., and for other purposes;

S. 3050. An act to increase the equipment maintenance allowance for rural carriers, and for other purposes;

S. 3087. An act to provide for the establishment of Fort Clatsop National Memorial in the State of Oregon, and for other purposes; and

S. 3120. An act to amend the acreage allotment and marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, to provide additional allotments for farms in the Tulalake area, Modoc and Siskiyou Counties, Calif., for the 1958 and 1959 crops of wheat, and for other purposes.

## AGRICULTURAL PRICES

(Mr. HILL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HILL. Mr. Speaker, I enclose as part of my remarks a news release by the Department of Agriculture, March 28, 1958, agricultural prices:

PRICES RECEIVED, UP 11 POINTS; PRICES PAID, INTEREST, TAXES, AND WAGE RATES, UP 2 POINTS; PARITY RATIO, 87

The index of prices received by farmers increased 4 percent (11 points) during the month ended in mid-March, the sharpest increase for any month since February 1951. Nearly all commodities joined in the rise but most important were continued higher prices for meat animals. Higher prices for potatoes, fruit, and eggs also contributed substantially to the increase. The March index at 263 percent of its 1910-14 average was 11 percent above a year earlier and at its highest level since May 1953.

The index of prices paid for commodities and services, interest, taxes, and farm-wage rates (the parity index) rose 1 percent to 304 on March 15, another alltime high. Higher prices for family living and farm production goods were about equally responsible for the rise over mid-February. The March index was 3 percent higher than a year earlier.

With farm product prices rising more rapidly than prices paid the parity ratio advanced to 87, the highest since April 1955. The ratio was up 5 percent over February and 7 percent over March of last year.

The increase in farmers' net income in Colorado was 52 percent in 1957 over 1956. Other Mountain States increased their farmers' net income in 1957 over 1956 as follows:

	Percent
Wyoming.....	24
Nevada.....	18
Montana.....	12
Utah.....	10
New Mexico.....	2

## EXTENSION OF REMARKS

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I expect to make in the consideration of the agriculture appropriation bill today, and further, I ask unanimous consent to bring into the Chamber two charts which I have prepared in order that I may use them to explain some of the data on the agriculture appropriation bill this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

## THE STORY OF FREE ENTERPRISE

(Mr. ALGER asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ALGER. Mr. Speaker, remembering that the Government has no money tree, that if it is to provide work for anyone, it must first take earnings away from someone else who has already worked for them, in order to finance the new job, which of us feels qualified to select those to be rewarded and those to be thus penalized? An amusing story, but one which may produce rueful and selfconscious smiles in the Congress, appeared on the front cover of the current issue of the Freeman Magazine. As we argue crash Government programs aimed at offsetting even a moderate economic readjustment, like the current one, surely we would all do well to read and re-read this story:

Thomas J. Shelly, 35 years a teacher of economics and history, attempted to explain the meaning of socialism to his Yonkers High School class as follows:

"John, you made a grade of 95; and yours, Dick, was 55. I shall now take 20 points from you, John, and give them to Dick. Thus, each of you has 75, adequate for passing.

"Here I have applied the Socialist-Communist principle as set forth by Karl Marx: 'From each according to his ability, to each according to his need.'

"Now, let us examine this in practice. You, John, won't work because you have had your incentive removed. And you, Dick, won't work because you are getting something for nothing.

"We can't exist unless we work and produce. Thus, in order to get the work done, we'll need someone with a whip or a gun. Socialism must lead to authoritarian controls."

## H. R. 9821

Mr. FALLON. Mr. Speaker, I ask unanimous consent that the conferees on the bill, H. R. 9821, have until midnight tonight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?



Mr. MARTIN. Mr. Speaker, reserving the right to object, and I am not going to object, when does the gentleman expect to call up the conference report?

Mr. FALLON. We may finish the conference this afternoon.

Mr. MARTIN. And would the gentleman intend to call it up tomorrow, if an agreement can be reached on it today?

Mr. FALLON. Yes; if I am recognized to do so.

The SPEAKER. The Chair would say to the gentleman from Massachusetts that the proper thing to do would be to take it up as soon as we can.

Mr. MARTIN. Mr. Speaker, the gentleman from Massachusetts is trying to find out for the information of the membership when they may expect this conference report to be called up.

The SPEAKER. The Chair will recognize the gentleman from Maryland to call up the conference report tomorrow, if the report is filed in time tonight. Is that satisfactory to the gentleman from Massachusetts?

Mr. MARTIN. I do not know whether I am satisfied, Mr. Speaker, but the information certainly is appreciated.

The SPEAKER. The Chair was only seeking to satisfy the gentleman from Massachusetts on the point of information as to when the conference report might be called up.

Mr. MARTIN. I thank the Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

#### REVISION OF THE RECORD

Mr. ALBERT. Mr. Speaker, on page 5238 of the CONGRESSIONAL RECORD for March 31, 3d column, beginning at the 10th line from the bottom and continuing through the 8th line of the 1st column on page 5239, my remarks are inserted as follows:

Mr. ALBERT. I want to congratulate the gentleman on his statement. He has made a real contribution to the House. I deeply appreciate his giving us the benefit of his research and the individual history and development of the Capitol. The American people love this Capitol. We who serve here love it. It is one of our great symbols, but it is more than a symbol. It is the workshop of a representative government. As such it has been subject to change to make it function as a proper workshop for those who serve here. The gentleman has brought that out very forcibly. I think this change will make it a more useful workshop for democracy in the future.

The RECORD should be corrected to read as follows:

Mr. ALBERT. I want to congratulate the gentleman upon his statement. He has made a real contribution to the House. I deeply appreciate his giving us the benefit of his research into the history and development of the Capitol. The American people love this Capitol. We who serve here love it. It is one of our great national symbols but it is more than a symbol. It is the workshop of a representative government. As such it has been enlarged and, from time to time, altered to make it more serviceable. The gentleman has brought out this historic fact very forcibly. I agree with him that the proposed change will make this Capitol a

more useful workshop of democracy in the future.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

#### APPROPRIATIONS FOR THE EXECUTIVE OFFICE OF THE PRESIDENT AND SUNDRY GENERAL GOVERNMENT AGENCIES, 1959

The SPEAKER. The unfinished business is the further consideration of the bill (H. R. 10589) making appropriations for the Executive Office of the President and sundry general Government agencies for the fiscal year ending June 30, 1959, and for other purposes.

On yesterday, the House was ready to vote on the amendment upon which a separate vote was demanded. The Clerk will report the amendment.

The Clerk read as follows:

On page 8, after line 7, insert: "Commission on Civil Rights, Salaries, and Expenses: For expenses necessary for the Commission on Civil Rights, including expenses of attendance at meetings, concerned with the purpose of this appropriation, \$750,000."

The SPEAKER. The question is on the amendment.

Mr. ANDREWS. Mr. Speaker, on that I demand the yeas and nays.

Mr. HOFFMAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. If a sufficient number of Members rise to require a rollcall vote on the amendment, the question can be taken on the amendment and a quorum will be established at the same time.

Mr. HOFFMAN. Mr. Speaker, I withdraw the point of order.

The yeas and nays were ordered.

The question was taken, and there were—yeas 272, nays 98, not voting 59, as follows:

[Roll No. 38]

YEAS—272

Adair  
Addonizio  
Allen, Ill.  
Anderson, Mont.  
Anfuso  
Arends  
Ashley  
Aspinall  
Auchincloss  
Avery  
Ayres  
Baker  
Baldwin  
Barrett  
Bass, N. H.  
Bass, Tenn.  
Bates  
Baumhart  
Beamer  
Belcher  
Bennett, Mich.  
Bentley  
Betts  
Blatnik  
Boland  
Bolling  
Bosch  
Boyle  
Bray  
Breeding  
Brooks, Tex.  
Broomfield  
Brown, Mo.  
Brown, Ohio  
Brownson  
Bush

Byrd  
Byrne, Ill.  
Byrne, Pa.  
Canfield  
Cannon  
Carrigg  
Cederberg  
Celler  
Chelf  
Chenoweth  
Chipperfield  
Christopher  
Church  
Clark  
Coad  
Coffin  
Collier  
Corbett  
Coudert  
Cretella  
Cunningham, Iowa  
Cunningham, Nebr.  
Curtin  
Curtis, Mass.  
Curtis, Mo.  
Dague  
Dawson, Ill.  
Dellay  
Dennison  
Dent  
Derounlan  
Devereux  
Dingell  
Dixon  
Donohue

Dooley  
Dorn, N. Y.  
Doyle  
Dwyer  
Eberharter  
Edmondson  
Engle  
Fallon  
Farbsteln  
Felghan  
Fenton  
Flood  
Fogarty  
Forand  
Ford  
Friedel  
Fulton  
Garmatz  
Gavin  
George  
Glenn  
Gray  
Green, Oreg.  
Green, Pa.  
Griffin  
Griffiths  
Gross  
Gwinn  
Hagen  
Hale  
Halleck  
Harrison, Nebr.  
Harvey  
Haskell  
Henderson  
Heselson  
Hess

Hiestand  
Hill  
Hillings  
Hoeven  
Hoffman  
Holland  
Holmes  
Holt  
Holtzman  
Horan  
Hosmer  
Hull  
Hyde  
Jackson  
James  
Jarman  
Jenkins  
Johnson  
Judd  
Karsten  
Kearney  
Kearns  
Keating  
Kee  
Kelly, N. Y.  
Keogh  
Kilday  
King  
Klirwan  
Kluczynski  
Knock  
Laforte  
Laird  
Lane  
Lankford  
Latham  
LeCompte  
Lesinski  
Libonati  
Lipscomb  
McCarthy  
McCulloch  
McFall  
McGovern  
McGregor  
McIntosh  
McVey  
Macdonald  
Machrowicz  
Mack, Ill.  
Mack, Wash.  
Madden  
Magnuson  
Mailliard  
Martin

May  
Meador  
Metcalf  
Michel  
Miller, Calif.  
Miller, Md.  
Miller, Nebr.  
Miller, N. Y.  
Minshall  
Montoya  
Moore  
Morano  
Morgan  
Morris  
Moulder  
Multer  
Mumma  
Natcher  
Neal  
Nicholson  
Nimtz  
Norblad  
O'Brien, Ill.  
O'Brien, N. Y.  
O'Hara, Ill.  
O'Hara, Minn.  
O'Konski  
O'Neill  
Osmers  
Ostertag  
Patterson  
Pelly  
Perkins  
Pfost  
Phillbin  
Pillion  
Polk  
Porter  
Price  
Prouty  
Quie  
Rabaut  
Ray  
Reed  
Rees, Kans.  
Reuss  
Rhodes, Ariz.  
Rhodes, Pa.  
Riehlman  
Robison, N. Y.  
Robison, Ky.  
Rodino  
Rogers, Colo.  
Rogers, Mass.  
Roosevelt

Rutherford  
Sadlak  
Santangelo  
Saylor  
Schenck  
Scherer  
Schwenkel  
Scrivner  
Seely-Brown  
Sheehan  
Shelley  
Sheppard  
Sieminski  
Siler  
Simpson, Ill.  
Simpson, Pa.  
Sisk  
Smith, Calif.  
Spence  
Springer  
Staggers  
Stauffer  
Steed  
Sullivan  
Taber  
Talle  
Teague, Calif.  
Teller  
Tewes  
Thompson, N. J.  
Thomson, Wyo.  
Thornberry  
Udall  
Ullman  
Vanik  
Van Pelt  
Van Zandt  
Vorys  
Wainwright  
Walter  
Watts  
Weaver  
Westland  
Wharton  
Widnall  
Wler  
Wigglesworth  
Williams, N. Y.  
Wilson, Calif.  
Wilson, Ind.  
Yates  
Younger  
Zablocki  
Zelenko

NAYS—98

Abbitt  
Abernethy  
Albert  
Alexander  
Alger  
Andersen, H. Carl  
Andrews  
Ashmore  
Beckworth  
Bennett, Fla.  
Berry  
Blitch  
Boggs  
Boykin  
Brooks, La.  
Brown, Ga.  
Broyhill  
Budge  
Burleson  
Byrnes, Wis.  
Clevenger  
Cramer  
Davis, Ga.  
Davis, Tenn.  
Dowdy  
Durham  
Elliott  
Everett  
Fascell  
Fisher  
Flynt  
Forrester

Fountain  
Frazier  
Gary  
Gathings  
Haley  
Hardy  
Harris  
Harrison, Va.  
Hébert  
Hemphill  
Herlong  
Huddleston  
Ikard  
Jennings  
Jensen  
Johansen  
Jonas  
Jones, Ala.  
Jones, Mo.  
Kilburn  
Kilgore  
Kitchin  
Landrum  
Lennon  
Loser  
McMillan  
Mahon  
Marshall  
Mason  
Matthews  
Mills  
Mitchell  
Morrison

Murray  
Norrell  
Patman  
Pilcher  
Poage  
Poff  
Preston  
Riley  
Rivers  
Roberts  
Robeson, Va.  
Rogers, Fla.  
Rogers, Tex.  
Selden  
Shuford  
Sikes  
Smith, Kans.  
Smith, Miss.  
Smith, Va.  
Thomas  
Thompson, La.  
Thompson, Tex.  
Trimble  
Tuck  
Utt  
Vinson  
Whitener  
Whitten  
Williams, Miss.  
Willis  
Winstead  
Wright  
Young

NOT VOTING—59

Allen, Calif.  
Bailey  
Barden  
Baring  
Becker  
Bolton  
Bonner  
Bow  
Buckley  
Burdick  
Carnahan  
Chamberlain

Colmer  
Cooley  
Dawson, Utah  
Delaney  
Denton  
Dies  
Diggs  
Dollinger  
Dorn, S. C.  
Evins  
Flno  
Frelinghuysen

Gordon  
Granahan  
Grant  
Gregory  
Gubser  
Harden  
Hays, Ark.  
Hays, Ohio  
Healey  
Hollfield  
Kean  
Knutson



Krueger	Radwan	Scudder
McCormack	Rains	Taylor
McDonough	Reece, Tenn.	Teague, Tex.
McIntire	Rooney	Tollefson
Morrow	St. George	Vursell
Moss	Saund	Withrow
Passman	Scott, N. C.	Wolverton
Powell	Scott, Pa.	

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Rooney for, with Mr. Grant against.  
Mr. Denton for, with Mr. Colmer against.  
Mr. McCormack for, with Mr. Rains against.  
Mr. Bailey for, with Mr. Barden against.  
Mr. Kean for, with Mr. Radwan against.  
Mrs. Bolton for, with Mr. Bonner against.  
Mr. Becker for, with Mr. Cooley against.  
Mr. Dollinger for, with Mr. Dies against.  
Mr. Hays of Ohio for, with Mr. Dorn of South Carolina against.  
Mr. Buckley for, with Mr. Evins against.  
Mr. Hollifield for, with Mr. Passman against.  
Mr. Delaney for, with Mr. Scott of North Carolina against.  
Mr. Healey for, with Mr. Teague of Texas against.

Until further notice:

Mr. Gordon with Mrs. St. George.  
Mr. Powell with Mr. Allen of California.  
Mr. Moss with Mr. Taylor.  
Mr. Saund with Mrs. Harden.  
Mrs. Knutson with Mr. Frelinghuysen.  
Mr. Gregory with Mr. Bow.  
Mr. Hays of Arkansas with Mr. Dawson of Utah.  
Mr. Baring with Mr. Scott of Pennsylvania.  
Mr. Carnahan with Mr. Wolverton.  
Mr. Diggs with Mr. Krueger.  
Mr. Burdick with Mr. McDonough.

Mr. HARRISON of Nebraska changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

The bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE TO EXTEND REMARKS

Mr. RABAUT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### RIVER AND HARBOR, BEACH EROSION CONTROL, AND FLOOD-CONTROL PROJECTS

Mr. DAVIS of Tennessee. Mr. Speaker, I call up the conference report on the bill (S. 497) authorizing the construction, repair, and preservation of certain public works on rivers and harbors

for navigation, flood control, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill. The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of March 31, 1958.)

Mr. DAVIS of Tennessee. Mr. Speaker, we think we have this bill in good shape. The committee and the House acted very carefully and thoroughly on the advice of the engineers. The bill was thoroughly debated on the floor of the House. All of the conferees signed the report.

Mr. Speaker, I do not have any requests for time on this side.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield.

Mr. ASPINALL. Mr. Speaker, I would like to ask one of the members of the Conference Committee this question. I note that the Conference Committee inserted language in subsection (d) of 205 which states that the storage authorized for municipal and industrial water and for increasing low flows shall not be operated in such manner as to adversely affect the lawful uses of the water. I am pleased to see that language included and I interpret this language as protecting all uses of water for which rights have been initiated or perfected under the laws of the several States. I would like to ask some member of the Conference Committee if my interpretation of this language is correct.

Mr. ASPINALL. I thank the gentleman.

Mr. MCGREGOR. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield.

Mr. MCGREGOR. Mr. Speaker, first may I ask unanimous consent to revise and extend my remarks and include certain graphs relative to this legislation.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MCGREGOR. Mr. Speaker, the conferees made quite a concession relative to this rivers and harbors omnibus bill. Your House conferees signed the report because we felt it our duty to follow the will of the House and the will of the House was favorable to the bill. The Member from Ohio is not any more in favor of this bill now than he was when it passed here some days ago because, in reality, there have been some projects added to the bill that come under the same category of not having the endorsement and recommendation of the Army engineers, the Secretary of Defense or the Bureau of the Budget. I will insert in the RECORD at this point matter setting forth the projects that have not had such endorsement.

S. 497, as passed by the House, contained \$303,395,500 in projects to which the minority objected on the basis of adverse recommendations of the Secretary

of the Army, the Chief of Engineers, or the Bureau of the Budget.

S. 497, as agreed to in conference, contained a total of \$349,908,300 in projects to which there was objection by the Secretary of the Army, Chief of Engineers, or the Bureau of the Budget, or for which reports were lacking. The list of projects follows:

Project:	Estimated project cost
Title I, rivers and harbors:	
LaQuinta Channel, Tex.---	\$954,000
Hull Creek, Va.-----	269,800
Mississippi River at Alton, Ill., small boat harbor---	101,000
Port Washington Harbor, Wis.-----	2,932,000
Irondequoit Bay, N. Y.-----	1,938,000
Water-hyacinth control (5-year program)-----	5,062,500
Port Austin, Mich.-----	164,000
Title II, flood control:	
New Bedford, Fairhaven, and Acushnet, Mass.-----	15,490,000
Narragansett Bay area, Rhode Island and Massachusetts <sup>1</sup> -----	16,180,000
Mohawk River at Rome, N. Y.-----	240,000
Hendry County, Fla.-----	3,172,000
Tombigbee River Basin, Ala. and Miss.-----	19,711,000
White River backwater, Arkansas-----	2,380,000
Bouef, Tensas, and Bayou, Macon, Ark.-----	1,212,000
Greenville Harbor, Miss.---	2,530,000
Navarro Mills Reservoir, Tex. <sup>4</sup> -----	856,000
Red-Ouachita River Basin, Ark. and Okla., Milwood and alternatives <sup>2</sup> -----	109,480,000
Galveston Bay, Texas City, Tex. <sup>1</sup> -----	6,166,000
White River Basin, Gilbert and Lone Rock Reservoirs, Ark. <sup>3</sup> -----	57,000,000
Pecos River at Carlsbad, N. Mex.-----	2,066,000
Rio Grande at Socorro, N. Mex.-----	3,152,000
Saylorville Reservoir, Iowa	44,500,000
Kaskaskia River, Ill.---	23,000,000
St. Joseph's Indian School, South Dakota-----	42,000
Fort Pierce, S. Dak., sewers	120,000
Fort Pierce, S. Dak., water	25,000
Pierre, S. Dak., sewer facilities-----	210,000
Chamberlain, S. Dak., water	5,000
Eagle Butte School, South Dakota-----	10,000
Saline River and tributaries, Illinois-----	5,970,000
Middle Gila River Basin, Ariz.-----	1,570,000
Buchanan Reservoir, Calif.	10,900,000
Hidden Reservoir, Calif.---	12,500,000
Grand total-----	349,908,300

<sup>1</sup> Hurricane damages.

<sup>2</sup> S. 497 as reported fails to make provision for cost of modifications of Corps of Engineers report estimated by the Corps of Engineers at \$56,245,000.

<sup>3</sup> S. 497 as reported provides for authorization of additional features in White River Basin costing \$57,000,000 which is the amount added to the basin authorization.

<sup>4</sup> Amount represents elimination of local contribution for land enhancement.

At the same time, nearly \$12 billion would be required to complete projects already authorized by Congress to be constructed by the Corps of Engineers. If deferred and inactive projects would



## FEDERAL AID TO EDUCATION

*Committee on Education and Labor:* A joint meeting of the Subcommittees on Special and General Education continued hearings on legislation relating to various Federal aids to education. Testimony was received from public witnesses with respect to the importance of instruction in foreign language within the curriculum of elementary and secondary schools. Hearings continue tomorrow.

## MUTUAL SECURITY

*Committee on Foreign Affairs:* In executive session received testimony on the Mutual Security Act of 1958 from representatives of the State and Defense Departments, respectively, and ICA; and in open session on the same subject heard Commissioner John F. Floberg, AEC; and Franklin G. Floete, Administrator, GSA.

## FEDERAL PROPERTY

*Committee on Government Operations:* Subcommittee on General Government Activities held executive hearing but took no final action on the following bills: S. 2231 and 2533, relating to Government leases of property; and S. 2224 and 2752, regarding disposal of surplus Federal property. Testimony was received from Franklin G. Floete, Administrator, General Services Administration.

Subcommittee also tabled H. R. 509 and 510, related bills, and announced that consideration at the next meeting will be given in lieu thereof to H. R. 11694, relating to conveyance of certain real property to the State Forest Board of Washington.

Adjourned subject to call of the Chair.

## ALASKA

*Committee on Interior and Insular Affairs:* Subcommittee on Territorial and Insular Affairs ordered favorably reported to the full committee H. R. 9856 (amended), to extend the life of the Alaska International Rail and Highway Commission and to increase its authorization.

Also considered but took no final action on H. R. 5643, to extend the charter of the Virgin Islands Corporation to June 30, 1969. Among the witnesses heard on this bill was the Governor of the Virgin Islands.

## AIRPORT PROPERTY SALE

*Committee on Interstate and Foreign Commerce:* Subcommittee on Transportation and Communications held and concluded hearings on H. R. 10045, to provide for the sale of all of the real property acquired for the construction of the Burke Airport, Va. Testimony was received from Representative Broyhill and GSA representative.

## JUDICIARY

*Committee on the Judiciary:* In executive session ordered favorably reported to the House H. R. 11477, to provide for the admission of certain evidence.

## A. T. &amp; T. CONSENT DECREE

*Committee on the Judiciary:* Antitrust Subcommittee continued hearings on American Telephone & Telegraph Co. consent decree. Testimony was received from A. T. & T. witnesses and hearings resume on Tuesday, April 15.

## CIVIL SERVICE

*Committee on Post Office and Civil Service:* Met in executive session for the consideration of pending legislation, took no final action, and announced that the next meeting will be on Thursday, April 17.

## UNEMPLOYMENT COMPENSATION

*Committee on Ways and Means:* Concluded hearings with regard to emergency extension of Federal unemployment compensation benefits with the testimony of public witnesses.

*Joint Committee Meetings*

## NATIONAL HIGHWAY PROGRAM

*Conferees,* in executive session, agreed to file a conference report on the differences between the Senate- and House-passed versions of H. R. 9821, authorizing appropriations for continuing highway construction. As approved by the conferees, major provisions of the bill would: (1) authorize \$900 million for primary, secondary, and urban systems for fiscal 1960, and \$925 million for 1961, (2) authorize an additional \$400 million for primary, secondary, and urban systems for fiscal 1959, moneys to be available on a 66 $\frac{2}{3}$  percent Federal-33 $\frac{1}{3}$  percent State matching basis, (3) authorize an additional \$5 million for forest highway systems in fiscal 1959, and \$33 million for each of the fiscal years 1960 and 1961, (4) authorize an additional \$5 million for forest development roads and trails for fiscal 1959, and \$30 million for each of the fiscal years 1960 and 1961, (5) require a study of needed improvements on the forest highway system and a report thereon to Congress on or before January 1, 1960, (6) authorize \$18 million for roads in national parks for each of the fiscal years 1960 and 1961, (7) authorize \$16 million for parkways for each of the fiscal years 1960 and 1961, (8) authorize \$12 million for roads in Indian reservations for each of the fiscal years 1960 and 1961, (9) authorize an additional \$1 million for fiscal 1959 for roads on unappropriated and unreserved public lands, and \$3 million for each of the fiscal years 1960 and 1961, (10) increase the 1959 interstate authorization by \$200 million, and the 1960 and 1961 authorizations by \$300 million each year, the 1959 moneys to be



apportioned immediately, (11) authorize and direct apportionment of full authorization of interstate, primary, secondary, and urban systems for fiscal 1960, (12) with regard to reimbursement of cost for moving public utility facilities off of highway rights-of-way, provide a modification of existing law to require States to fur-

nish evidence to the Secretary of Commerce substantiating their expenditures for such relocations, and (13) authorize acquisition of billboard advertising rights on lands adjacent to the interstate system, and encourage States to develop regulations concerning billboard advertising along the interstate system.

## BILL SIGNED BY THE PRESIDENT

### New Law

(For last listing of public laws, see DIGEST, p. D281)

S. 3418, to stimulate residential construction. Signed April 1, 1958 (P. L. 85-364).

## COMMITTEE MEETINGS FOR WEDNESDAY, APRIL 2

(All meetings are open unless otherwise designated)

### Senate

*Committee on Agriculture and Forestry*, executive, on committee business, 10 a. m., 324 Senate Office Building.

*Committee on Appropriations*, subcommittee, on H. R. 10746, Interior Department appropriations for fiscal 1959, 10:30 a. m., room F-82, Capitol.

*Committee on Armed Services*, Preparedness Investigating Subcommittee, to receive a report from Secretary of Defense McElroy as to accomplishments of his Department resulting from certain recommendations made by the subcommittee on January 23, 1:15 p. m., room P-63, Capitol.

*Committee on Finance*, to hear Bernard Baruch continue his testimony on financial condition of the U. S., 10:30 a. m., 318 Senate Office Building.

*Committee on Foreign Relations*, on proposed mutual security program for fiscal 1959, to hear non-Government witnesses, 10 a. m., room P-38, Capitol.

*Committee on Interstate and Foreign Commerce*, Surface Transportation Subcommittee, on railroad inquiry, 10 a. m., 312 Senate Office Building.

*Committee on the Judiciary*, Antitrust and Monopoly Subcommittee, on S. 198, 721, 722, 3079, and 3479, bills amending the Clayton Act regarding prior notification of corporate mergers, 10 a. m., 424 Senate Office Building;

Constitutional Rights Subcommittee, on the nomination of Gordon McLean Tiffany, of New Hampshire, to be Staff Director for the Commission on Civil Rights, 9:30 a. m., 104-B Senate Office Building.

### House

*Committee on Agriculture*, Subcommittee on Wheat on bills to remove wheat for seeding purposes which has been treated with poisonous substances from the "unfit for human consumption," 10 a. m., 1310 New House Office Building.

Subcommittee on Cotton, executive, on H. R. 9135, to increase farm income by enabling cotton to be sold competitively in

domestic and foreign markets, 10 a. m., 1308 New House Office Building.

*Committee on Armed Services*, Special Subcommittee No. 1, executive, phase 2 of national defense inquiry, 10 a. m., 313-A Old House Office Building.

Special Subcommittee No. 4, executive, 10 a. m., 304 Old House Office Building.

Special Subcommittee No. 6, executive, 2 p. m., 304 Old House Office Building.

*Committee on Banking and Currency*, executive, on S. 1451, Financial Institutions Act, 10 a. m., 1301 New House Office Building.

*Committee on the District of Columbia*, executive, to receive subcommittee reports, 10:30 a. m., 445 Old House Office Building.

*Committee on Education and Labor*, Subcommittees on Special and General Education in joint meeting on bills relating to Federal aids for education, 10 a. m., 429 Old House Office Building.

*Committee on Government Operations*, Subcommittee on Intergovernmental Relations on Federal-State-local relations. Albert M. Cole, Administrator, Housing and Home Finance Agency, and associates will be heard, 10 a. m., George Washington Inn.

*Committee on Interior and Insular Affairs*, on pending bills, followed by Subcommittee on Reclamation on H. R. 594 and S. 60, Fryingpan-Arkansas project, Colorado, 10 a. m., 1324 New House Office Building.

*Committee on Interstate and Foreign Commerce*, Subcommittee on Legislative Oversight on inquiry into Federal regulatory agencies. Former Commissioners of FCC to be heard, 10 a. m., Caucus Room, Old House Office Building.

Subcommittee on Traffic Safety on proposal by the broadcasting industry for closer coordination between the industry and the highway patrol networks in the matter of disseminating weather and road conditions to motorists traveling in radio-equipped cars, 10 a. m., 1334 New House Office Building.

*Committee on the Judiciary*, Subcommittee No. 2, executive, on private claim bills, 10 a. m., 327 Old House Office Building.

Subcommittee No. 3, executive, 10:30 a. m., 353 Old House Office Building.

Subcommittee No. 4, hearing on H. J. Res. 479, and similar resolutions, relating to designation of Loyalty Day, 10 a. m., 346 Old House Office Building.

*Select Committee on Small Business*, Subcommittee No. 5, executive, on ASCAP hearings, 10 a. m., 356 Old House Office Building.

### Joint Committee

*Joint Committee on Washington Metropolitan Problems*, executive, 10 a. m., room F-53, Capitol.









# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued April 3, 1958  
For actions of April 2, 1958  
85th-2d, No. 54

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HIGHLIGHTS: House received conference report on road authorization bill. House subcommittee ordered reported bill to increase durum wheat acreage allotments in Tule Lake area, Calif. Sen. Murray criticized operation of the rural development program. Sen. Flanders and Rep. Hays, Ark., introduced and Sen. Flanders discussed bills to establish Commission on Country Life.

## HOUSE

1. ROADS. Received the conference report on H. R. 9821, the road authorization bill (H. Rept. 1591). pp. 5483-88, ~~5522~~

The revised bill includes provisions as follows: Authorizes an additional \$5 million for forest highway systems in the fiscal year 1959, and \$33 million for each of the fiscal years 1960 and 1961; authorizes an additional \$5 million for forest development roads and trails for the fiscal year 1959, and \$30 million for each of the fiscal years 1960 and 1961; provides that advisory public hearings on any proposed construction or reconstruction of timber-access roads shall be permissive rather than compulsory; provides that the apportionment of funds for forest highways for fiscal 1959, 1960, and 1961 shall be made on the same basis that it was in the fiscal year 1958; provides that a State may transfer not to exceed the lesser of \$500,000 or 5 percent of the amount apportioned to it under the first section of the bill (relating to apportionments for the ABC system) to augment its apportionment for forest highways and when transferred such sums may be expended as any other funds authorized for forest highway purposes; and requires a study of needed improvements on the forest highway

system and a report thereon to Congress on or before Jan. 1, 1940, with a proviso that the Secretary of Agriculture shall be a member of the group to cooperate with the Secretary of Commerce in making the study, recommendations, and report.

2. DURUM WHEAT. The Wheat Subcommittee of the Agriculture Committee ordered reported with amendment H. R. 11092, to increase the acreage allotments for durum wheat grown in the Tule Lake area, Calif. p. D293
3. INFORMATION. Received from the Government Operations Committee a report of additional views on H. R. 2767, with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records (H. Rept. 1461). p. 5522
4. COTTON. Rep. Flynt stated that if the consumption of cotton in 1958 is below eight million bales, as estimated, "our cotton farmers and our textile mills will be seriously hurt," and inserted an article, "Recession in Textiles." pp. 5509-10
5. FOREIGN AFFAIRS. Rep. Thompson, N. J., urged support of the U. N. Educational, Scientific, and Cultural Organization as a means of promoting greater understanding among the nations. pp. 5515-18
6. LEGISLATIVE PROGRAM. Rep. Albert announced that the conference report on the road authorization bill would be considered Thurs., Apr. 3. p. 5488

SENATE

7. FLOOD CONTROL. Agreed, 52 to 11, to the conference report on S. 497, the rivers and harbors and flood control bill (pp. 5412-13, 5432, 5451-77). Sens. discussed the relation of certain provisions in the bill as reported to State water rights laws (pp. 5451-8, 5468-9, 5472-6), the standards by which such projects were approved for inclusion (pp. 5459-62, 5469-72), the distribution of electric power from such projects, including the public preference clause and a State's claim to power produced within its boundaries (pp. 5463-8), and the cost-benefit ratio (pp. 5468-9).  
Received from the Chief of Engineers an interim report on the Blackstone River Basin, R. I. (S. Doc. 87). p. 5479
8. RURAL DEVELOPMENT. Sen. Murray criticized the Department's rural development program for fostering off-farm employment. pp. 5411-12
9. DAIRY PRICE SUPPORTS. Sen. Proxmire criticized the Secretary's statement on price levels and production, and inserted the analysis and suggestions of Dr. W. W. Cochrane, "Making A Dairy Program Work." pp. 5419-21
10. RETIREMENT. Senate conferees were appointed on S. 72, to increase the annuities of certain civil service annuitants. House conferees have not been appointed. pp. 5444-5
11. PUBLIC WORKS. Sen. Javits submitted an amendment to S. 3497, the community facilities loan bill to include civil defense facilities. p. 5396  
Sen. Kefauver expressed regret at the postponement of S. 3497 and inserted letters from Tenn. local officials favoring passage of the bill. pp. 5406-7



## FEDERAL-AID HIGHWAY BILL OF 1958

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APRIL 2, 1958.—Ordered to be printed

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Mr. FALLON, from the committee of conference, submitted the following

### CONFERENCE REPORT

[To accompany H. R. 9821]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9821) to amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

#### **SEC. 1. FEDERAL-AID HIGHWAYS.**

(a) (1) *AUTHORIZATION OF APPROPRIATIONS.*—For the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated the sum of \$900,000,000 for the fiscal year ending June 30, 1960; and the sum of \$925,000,000 for the fiscal year ending June 30, 1961. The sums herein authorized for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects on the Federal-aid primary highway system.

(B) 30 per centum for projects on the Federal-aid secondary highway system.

(C) 25 per centum for projects on extensions of these systems within urban areas.

(2) *APPORTIONMENTS.*—The sums authorized by this section shall be apportioned among the several States in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838).

(b) *AVAILABILITY FOR EXPENDITURE.*—Any sums apportioned to any State under this section shall be available for expenditure in that State for two years after the close of the fiscal year for which such sums are authorized, and any amounts so apportioned remaining unexpended at the end of such period shall lapse: *Provided*, That such funds shall be deemed to have been expended if a sum equal to the total of the sums herein and heretofore apportioned to the State is covered by formal agreements with the Secretary of Commerce for construction, reconstruction, or improvements of specific projects as provided in this Act and prior Acts: *Provided further*, That in the case of those sums heretofore, herein, or hereafter apportioned to any State for projects on the Federal-aid secondary highway system, the Secretary of Commerce may, upon the request of any State, discharge his responsibility relative to the plans, specifications, estimates, surveys, contract awards, design, inspection, and construction of such secondary road projects by his receiving and approving a certified statement by the State highway department setting forth that the plans, design, and construction for such projects are in accord with the standards and procedures of such State applicable to projects in this category approved by him: *Provided further*, That such approval shall not be given unless such standards and procedures are in accordance with the objectives set forth in section 1 (b) of the Federal-Aid Highway Act of 1950: And *provided further*, That nothing contained in the foregoing provisos shall be construed to relieve any State of its obligation now provided by law relative to maintenance, nor to relieve the Secretary of Commerce of his obligation with respect to the selection of the secondary system or the location of projects thereon, to make a final inspection after construction of each project, and to require an adequate showing of the estimated and actual cost of construction of each project. Any Federal-aid primary, secondary, or urban funds released by the payment of the final voucher or by modification of the formal project agreement shall be credited to the same class of funds, primary, secondary, or urban, previously apportioned to the State and be immediately available for expenditure.

**SEC. 2. ADDITIONAL AUTHORIZATION OF APPROPRIATION OF FEDERAL-AID PRIMARY, SECONDARY, AND URBAN FUNDS.**

(a) *AMOUNT AND APPORTIONMENT.*—For the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1959, \$400,000,000 in addition to any sums heretofore authorized for such fiscal year. The sum herein authorized shall be apportioned: (A) 45 per centum for projects on the Federal-aid primary highway system, (B) 30 per centum for projects on the Federal-aid secondary highway system, and (C) 25 per centum for projects on extensions of these systems within urban areas among the several States immediately upon enactment of this Act in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838), using the same percentage distribution as was used in the apportionment of Federal-aid highway funds heretofore authorized for the fiscal year ending June 30, 1959.

(b) *AVAILABILITY FOR EXPENDITURE.*—The amounts authorized to be appropriated in section 2 (a) herein shall be available for expenditure pursuant to contracts awarded or work commenced by the State highway



departments prior to December 1, 1958, for completion of construction prior to December 1, 1959, subject to delays caused by circumstances and conditions beyond the control of, and without the fault of any contractor on such contracts, and delays created by acts of God. Any amounts apportioned to a State under provisions of this section remaining unexpended on December 1, 1958, shall lapse: Provided, That such funds shall be deemed to have been expended when covered by contracts awarded or work commenced prior to December 1, 1958, and on account of which formal agreements with the Secretary of Commerce are entered into prior to January 1, 1959, for specific projects.

(c) *EXPENDITURE WITHOUT LIMITATION AS TO SYSTEM.*—The sums apportioned under this section shall be available for expenditure for projects on the primary or secondary Federal-aid systems, including extensions of these systems within urban areas, without limitation as to the amount of any class of funds, primary, secondary, or urban, apportioned for projects on any system.

(d) *FEDERAL SHARE.*—The Federal share payable on account of any project provided for by funds made available under the provisions of this section shall not exceed 66⅔ per centum of the total cost thereof plus, in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein, a percentage of the remaining 33⅓ per centum of such cost equal to the percentage that the area of such lands in such State is of its total area: Provided, That such Federal share payable on any project in any State shall not exceed 95 per centum of the total cost of such project.

(e) *AUTHORIZATION OF APPROPRIATION FOR INCREASING FEDERAL SHARE.*—For the purpose of assisting any State in meeting the requirements for State funds to match any sums apportioned to such State under the provisions of this section, there is hereby authorized to be appropriated the sum of \$115,000,000, which sum may be used by the Secretary of Commerce upon the request of any State to increase the Federal share payable on account of any project provided for by funds made available under the provisions of this section: Provided, That the amount of such increase of the Federal share shall not exceed two-thirds of the State's share of the cost of such project.

(f) *REPAYMENT OF AMOUNTS USED TO INCREASE FEDERAL SHARE.*—The total amount of such increases in the Federal share as are made pursuant to subsection (e) above, shall be repaid to the Federal Government by making deductions of sums equal to the amounts so expended for projects on the Federal-aid primary highway system, the Federal-aid secondary highway system and extensions of such systems in urban areas in two equal annual installments from the amounts available to such State for expenditure on such highways under any apportionment of funds herein or hereafter authorized to be appropriated therefor for the fiscal years ending June 30, 1961 and June 30, 1962.

(g) *CONTRACT AUTHORITY.*—Approval by the Secretary of Commerce of any project on account of which the Federal share is increased under the provisions of this section shall be deemed a contractual obligation of the Federal Government for the payment of such increase in the Federal share, and its expenditure shall be governed by the provisions of subsection (b) of this section.

(h) *DECLARATION OF INTENT.*—It is hereby declared to be the intent of the Congress that the sum authorized under subsection (a) of this section

shall be supplementary to, and not in lieu of, any other sum heretofore or herein authorized for expenditure on the Federal-aid primary or secondary systems, including extensions of these systems within urban areas, and is made available for the purpose of immediate acceleration of the rate of highway construction on these systems beyond that being accomplished with funds heretofore authorized.

### **SEC. 3. FOREST HIGHWAYS AND FOREST DEVELOPMENT ROADS AND TRAILS.**

(a) *AUTHORIZATION OF APPROPRIATIONS.*—For the purpose of carrying out the provisions of section 23 of the Federal Highway Act of 1921 (42 Stat. 218), as amended and supplemented, there is hereby authorized to be appropriated (1) for forest highways the additional sum of \$5,000,000 for the fiscal year ending June 30, 1959, and the sum of \$33,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961; and (2) for forest development roads and trails the additional sum of \$5,000,000 for the fiscal year ending June 30, 1959, and the sum of \$30,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961: *Provided, That, with respect to any proposed construction or reconstruction of a timber access road, advisory public hearings may be held at a place convenient or adjacent to the area of construction or reconstruction with notice and reasonable opportunity for interested persons to present their views as to the practicability and feasibility of such construction or reconstruction: Provided further, That hereafter funds available for forest highways and forest development roads and trails shall also be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities: Provided further, That the additional sum authorized under this subsection for forest highways for the fiscal year ending June 30, 1959, shall be apportioned for expenditure in each State, Alaska, and Puerto Rico immediately upon enactment of this Act: Provided further, That the additional amount herein authorized for the fiscal year ending June 30, 1959, and the amounts authorized herein for forest highways for each of the fiscal years ending June 30, 1960, and June 30, 1961, shall be apportioned for expenditure in each State, Alaska, and Puerto Rico in the same percentage as the amounts apportioned for expenditure in each State, Alaska, and Puerto Rico from funds authorized for forest highways for the fiscal year ending June 30, 1958: And provided further, That when approved by the Secretary of Commerce, a State may use not to exceed the lesser of \$500,000 or 5 per centum of the amounts apportioned to such State under section 1 hereof for each of the fiscal years ending June 30, 1960, and June 30, 1961, for the construction, reconstruction, or improvement of forest highways on any of the Federal-aid highway systems and such sums may be expended in the same manner as funds authorized by this section.*

(b) *FOREST HIGHWAYS STUDY.*—The Secretary of Commerce, in cooperation with the Secretary of Agriculture and the appropriate officers of each State containing a national forest, the Commonwealth of Puerto Rico, and the Territory of Alaska, shall make a study to determine—

(1) the roads of primary importance to a State, county, or community which are within, adjoining, or adjacent to a national forest and have not been designated as forest highways;

(2) the amount necessary to complete construction of all designated forest highways;

(3) the amounts necessary for the fiscal year ending June 30, 1962, and for each of the nine succeeding fiscal years to survey, construct,



reconstruct, and maintain (A) roads described in paragraph (1) of this subsection if such roads were forest highways, and (B) roads designated as forest highways, in accordance with a program to be recommended by the Secretary of Commerce after consultation with the Secretary of Agriculture; and

(4) the method by which the amounts determined pursuant to paragraph (3) of this subsection should be apportioned for expenditure in the several States, Alaska, and Puerto Rico.

The Secretary of Commerce shall report the results of such study to the President and the Congress on or before January 1, 1960.

#### **SEC. 4. ROADS AND TRAILS IN NATIONAL PARKS, ETC.**

(a) **NATIONAL PARKS, ETC.**—For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of \$18,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961.

(b) **PARKWAYS.**—For the construction, reconstruction, and improvement of parkways, authorized by Acts of Congress, on lands to which title is vested in the United States, there is hereby authorized to be appropriated the sum of \$16,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961.

(c) **INDIAN RESERVATIONS AND LANDS.**—For the construction, reconstruction, and improvement of Indian reservation roads and bridges and roads and bridges to provide access to Indian reservations and Indian lands under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of \$12,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961: Provided, That the location, type, and design of all roads and bridges constructed shall be approved by the Secretary of Commerce before any expenditures are made thereon, and all such construction shall be under the general supervision of the Secretary of Commerce.

#### **SEC. 5. PUBLIC LANDS HIGHWAYS.**

For the purpose of carrying out the provisions of section 10 of the Federal-Aid Highway Act of 1950 (64 Stat. 785), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations the additional sum of \$1,000,000 for the fiscal year ending June 30, 1959, and the sum of \$3,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961.

#### **SEC. 6. SPECIAL PROVISIONS FOR FEDERAL DOMAIN ROADS, ETC.**

Any funds authorized herein for forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public lands highways shall be available for contract upon apportionment, or a date not earlier than one year preceding the beginning of the fiscal year for which authorized if no apportionment is required: Provided, That any amount remaining unexpended two years after the close of the

*fiscal year for which authorized shall lapse. The Secretary of the department charged with the administration of such funds is hereby granted authority to incur obligations, approve projects, and enter in contracts under such authorizations, and his action in doing so shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and such funds shall be deemed to have been expended when so obligated. Any funds heretofore, herein, or hereafter authorized for any fiscal year for forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public lands highways shall be deemed to have been expended if a sum equal to the total of the sums authorized for such fiscal year and previous fiscal years since and including the fiscal year ending June 30, 1955, shall have been obligated. Any of such funds released by payment of final voucher or modification of project authorization shall be credited to the balance of unobligated authorizations and be immediately available for expenditure.*

**SEC. 7. (a) AUTHORIZATION OF APPROPRIATIONS FOR INTERSTATE SYSTEM.**—Section 108 (b) of the Federal-Aid Highway Act of 1956 (70 Stat. 374) is hereby amended to read as follows:

*“(b) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of expediting the construction, reconstruction, or improvement, inclusive of necessary bridges and tunnels, of the Interstate System, including extensions thereof through urban areas, designated in accordance with the provisions of section 7 of the Federal-Aid Highway Act of 1944 (58 Stat. 838), there is hereby authorized to be appropriated the additional sum of \$1,000,000,000 for the fiscal year ending June 30, 1957, which sum shall be in addition to the authorization heretofore made for that year, the additional sum of \$1,700,000,000 for the fiscal year ending June 30, 1958, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1959, the additional sum of \$2,500,000,000 for the fiscal year ending June 30, 1960, the additional sum of \$2,500,000,000 for the fiscal year ending June 30, 1961, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1962, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1963, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1964, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1965, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1966, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1967, the additional sum of \$1,500,000,000 for the fiscal year ending June 30, 1968, and the additional sum of \$1,025,000,000 for the fiscal year ending June 30, 1969.”*

*(b) APPORTIONMENTS.—Any portion of the additional sum authorized for the fiscal year ending June 30, 1959, by section 108 (b) of the Federal-Aid Highway Act of 1956, as amended by this section, that has not been apportioned heretofore shall be apportioned immediately upon enactment of this Act, using certifications previously furnished by the States pursuant to section 108 (j) of the Federal-Aid Highway Act of 1956 and using the same percentage distributions as were used heretofore in the apportionment of funds authorized by section 108 (b) of the Federal-Aid Highway Act of 1956 for the fiscal year ending June 30, 1959.*

**SEC. 8. APPROVAL OF ESTIMATE OF COST OF COMPLETING THE INTERSTATE SYSTEM.**

*The estimate of cost of completing the Interstate System in each State, transmitted to the Congress on January 7, 1958, by the Secretary of Commerce pursuant to the provisions of section 108 (d) of the Act approved*



June 29, 1956 (70 Stat. 374), and published as House Document Numbered 300, Eighty-fifth Congress, second session, is hereby approved as the basis for making the apportionment of the funds authorized for the Interstate System for the fiscal year ending June 30, 1960.

**SEC. 9. APPORTIONMENT OF FEDERAL-AID HIGHWAY FUNDS FOR FISCAL YEARS 1959 AND 1960.**—Notwithstanding the provisions of section 209 (g) of the Act approved June 29, 1956 (70 Stat. 374), the Secretary of Commerce is authorized and directed to apportion among the several States in the manner provided by law, all of the funds authorized for the fiscal years 1959 and 1960, for the Interstate System and the Federal-aid primary and secondary highway systems, including extensions thereof within urban areas.

**SEC. 10. PAYMENTS FOR STOCKPILED MATERIALS.**—The first sentence of the second paragraph of section 13 of the Federal Highway Act, approved November 9, 1921 (42 Stat. 212), is amended by inserting before the period at the end thereof the following: "plus the United States pro rata part of the value of the materials which have been stockpiled in the vicinity of such construction or reconstruction in conformity to said plans and specifications".

**SEC. 11.** Subsection (a) of section 111 of the Federal-Aid Highway Act of 1956 is amended to read as follows:

"(a) **AVAILABILITY OF FEDERAL FUNDS FOR REIMBURSEMENT TO STATES.**—Subject to the conditions contained in this section, whenever a State shall pay for the cost of relocation of utility facilities necessitated by the construction of a project on the Federal-aid primary or secondary systems or on the Interstate System, including extensions thereof within urban areas, Federal funds may be used to reimburse the State for such cost in the same proportion as Federal funds are expended on the project: Provided, That Federal funds shall not be reimbursed to any State under this section when the payment to the utility violates the law of the State or violates a legal contract between the utility and the State: Provided, further, That such reimbursement shall be made only after evidence satisfactory to the Secretary shall have been presented to him substantiating the fact that the State has paid such cost from its own funds with respect to Federal-aid highway projects for which Federal funds are obligated subsequent to the date of enactment of the Federal-Aid Highway Act of 1958 for work, including relocation of utility facilities."

**SEC. 12.** The Federal-Aid Highway Act of 1956 (70 Stat. 374) is amended by renumbering section 122 as section 123 and inserting a new section 122, as follows:

**"SEC. 122. AREAS ADJACENT TO THE INTERSTATE SYSTEM.**

"(a) **NATIONAL POLICY.**—To promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investment in the National System of Interstate and Defense Highways, it is hereby declared to be in the public interest to encourage and assist the States to control the use of and to improve areas adjacent to the Interstate System by controlling the erection and maintenance of outdoor advertising signs, displays, and devices adjacent to that system. It is hereby declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within six hundred and sixty feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System constructed upon any part of right-of-way, the entire width of which is acquired subsequent to July 1, 1956, should be regulated, consistent with national

standards to be prepared and promulgated by the Secretary, which shall include only the following four types of signs, and no signs advertising illegal activities:

"(1) Directional or other official signs or notices that are required or authorized by law.

"(2) Signs advertising the sale or lease of the property upon which they are located.

"(3) Signs erected or maintained pursuant to authorization or permitted under State law, and not inconsistent with the national policy and standards of this section, advertising activities being conducted at a location within twelve miles of the point at which such signs are located.

"(4) Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

"(b) AGREEMENTS.—The Secretary of Commerce is authorized to enter into agreements with State highway departments (including such supplementary agreements as may be necessary) to carry out the national policy set forth in subsection (a) of this section with respect to the Interstate System within the State. Any such agreement shall include provisions for regulation and control of the erection and maintenance of advertising signs, displays, and other advertising devices in conformity with the standards established in accordance with subsection (a) and may include, among other things, provisions for preservation of natural beauty, prevention of erosion, landscaping, reforestation, development of viewpoints for scenic attractions that are accessible to the public without charge, and the erection of markers, signs, or plaques, and development of areas in appreciation of sites of historical significance. Upon application of the State, any such agreement may, within the discretion of the Secretary of Commerce, consistent with the national policy, provide for excluding from application of the national standards segments of the Interstate System which traverse incorporated municipalities wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control, or which traverse other areas where the land use is clearly established by State law as industrial or commercial: Provided, however, That any such segment excluded from the application of such standards shall not be considered in computing the increase of the Federal share payable on account thereof.

"(c) FEDERAL SHARE.—Notwithstanding the provisions of section 2 of the Federal-Aid Highway Act of 1944 (58 Stat. 838), if an agreement pursuant to this section has been entered into with any State prior to July 1, 1961, the Federal share payable on account of any project on the Interstate System within that State provided for by funds authorized under the provisions of section 108 of this Act, to which the national policy and the agreement apply, shall be increased by one-half of one per centum of the total cost thereof, not including any additional cost that may be incurred in the carrying out of the agreement: Provided, That the increase in the Federal share which is payable hereunder shall be paid only from appropriations from moneys in the Treasury not otherwise appropriated, which such appropriations are hereby authorized.

"(d) Whenever any portion of the Interstate System is located upon or adjacent to any public lands or reservations of the United States, the Secretary of Commerce may make such arrangements and enter into such agreements with the agency having jurisdiction over such lands or reser-



vations as may be necessary to carry out the national policy set forth in subsection (a) of this section, and any such agency is hereby authorized and directed to cooperate fully with the Secretary of Commerce in this connection.

“(e) Whenever a State shall acquire by purchase or condemnation the right to advertise or regulate advertising in an area adjacent to the right-of-way of a project on the Interstate System for the purpose of implementing this section, the cost of such acquisition shall be considered as a part of the cost of construction of such project and Federal funds may be used to pay the Federal pro rata share of such cost: *Provided, That reimbursement to the State shall be made only with respect to that portion of such cost which does not exceed 5 per centum of the cost of the right-of-way for such project.*”

**SEC. 13. PUBLIC HEARINGS.**—Section 116 (c) of the Federal-Aid Highway Act of 1956 is amended by inserting therein, immediately before the colon preceding the proviso, a semicolon and the following: “and any State highway department which submits plans for an Interstate System project shall certify to the Secretary of Commerce that it has had public hearings at a convenient location, or has afforded the opportunity for such hearings, for the purpose of enabling persons in rural areas through or contiguous to whose property the highway will pass to express any objections they may have to the proposed location of such highway”.

**SEC. 14. RELATIONSHIP OF THIS ACT TO OTHER ACTS: EFFECTIVE DATE.**

All provisions of the Federal-Aid Road Act approved July 11, 1916 together with all Acts amendatory thereof or supplementary thereto, not inconsistent with this Act, shall remain in full force and effect and be applicable hereto. All Acts or parts of Acts in any way inconsistent with the provisions of this Act are hereby repealed. This Act shall take effect on the date of enactment.

**SEC. 15. SHORT TITLE.**

This Act may be cited as the “Federal-Aid Highway Act of 1958”.

Amend the title so as to read: “An Act to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, and the Act approved June 29, 1956 (70 Stat. 374), to authorize appropriations for continuing the construction of highways, and for other purposes.”

And the Senate agree to the same.

GEORGE H. FALLON,  
JOHN A. BLATNIK,  
CLIFFORD DAVIS,  
J. HARRY MCGREGOR,  
MYRON V. GEORGE,

*Managers on the Part of the House.*

DENNIS CHAVEZ,  
ROBT. S. KERR,  
ALBERT GORE,  
EDWARD MARTIN,  
FRANCIS CASE,

*Managers on the Part of the Senate.*

## STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9821) amending and supplementing the Federal-Aid Road Act, approved July 11, 1916, to authorize appropriations for continuing the construction of highways, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment to the text of the House bill strikes all after the enacting clause and inserts a substitute. The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for both the House bill and the Senate amendment. The differences between the House bill and the substitute agreed to in the conference are noted in the following outline except for incidental minor differences made necessary by reason of technical and clerical conforming amendments.

### SECTION 2. ADDITIONAL AUTHORIZATION OF APPROPRIATION OF FEDERAL-AID PRIMARY, SECONDARY, AND URBAN FUNDS

There is no provision in the House bill comparable to section 2 of the Senate amendment.

#### (a) *Amount and apportionment*

Subsection (a) of section 2 of the Senate amendment would authorize the appropriation of an additional \$400,000,000 for the fiscal year ending June 30, 1959, for immediate apportionment for projects on the ABC systems at the percentages and in accordance with the normal procedures now provided by law.

Subsection (a) of section 2 of the proposed conference substitute is the same as the Senate amendment.

#### (b) *Availability for expenditure*

Subsection (b) of section 2 of the Senate amendment provides that the \$400,000,000 shall be available only for expenditure on contracts awarded by the State before December 1, 1958, which provide for completion of construction before December 1, 1959, subject to delays not the fault of the contractor or created by acts of God. The subsection also provides that the amount apportioned to a State not expended on December 1, 1958, shall lapse.

Except for minor technical changes, subsection (b) of section 2 of the proposed conference substitute is the same as the Senate amendment.

#### (c) *Expenditure without limitation as to system*

Subsection (c) of section 2 of the Senate amendment provides that when the \$400,000,000 has been apportioned, a State may spend its share of these funds without limitation as to the percentage to be utilized on any one system.

Except for a technical amendment, the proposed conference substitute is the same as the Senate amendment.



*(d) Federal share*

Subsection (d) of section 2 of the Senate amendment provides that the Federal share payable on account of any project the funds for which are provided out of the \$400,000,000 authorized by this section shall be 70 percent and thus the State's share will be 30 percent. A provision for increasing the Federal share up to 95 percent of the total cost in States having more than 5 percent public lands and nontaxable Indians lands is also included in this subsection.

Subsection (d) of section 2 of the proposed conference substitute is the same as the Senate amendment, except that the Federal share shall not exceed 66⅔ percent.

*(e) Authorization of appropriation for increasing Federal share*

Subsection (e) of section 2 of the Senate amendment authorizes the appropriation of \$115,000,000 which may be used by the Secretary of Commerce to increase the Federal share payable on any project the funds for which are provided in this section when the State requests such increase in the Federal share. The increase in the Federal share is limited to not to exceed two-thirds of the State's share of the cost of the project.

Subsection (e) of section 2 of the conference substitute is the same as the Senate amendment.

*(f) Repayment of amounts used to increase Federal share*

Subsection (f) of section 2 of the Senate amendment provides that if the Federal share is increased under subsection (e), the Federal Government shall be reimbursed by deducting the amount of the increase in two equal installments from the amounts to be made available to the State under the apportionments for ABC systems for the fiscal years ending June 30, 1961, and June 30, 1962.

Except for technical amendments, subsection (f) of section 2 of the proposed conference substitute is the same as the Senate amendment.

*(g) Contract authority*

Subsection (g) of section 2 of the Senate amendment provides that approval by the Secretary of Commerce of a project under this section shall be deemed a contractual obligation of the Federal Government for the payment of the increased Federal share and further provides that such funds shall be deemed to have been expended when so obligated. This language is a technical requirement made necessary because the funds being advanced are not to be distributed by apportionment.

Except for technical amendments, the proposed conference substitute is the same as the Senate amendment.

*(h) Declaration of intent*

Subsection (h) of section 2 of the Senate amendment declares it to be the intent of Congress that the \$400,000,000 authorized by this section shall be in addition to and not in place of any other money authorized for the ABC systems and that the purpose of providing this \$400,000,000 is to immediately accelerate construction on the ABC systems, beyond that being accomplished with the funds now authorized.

Except for technical changes, the proposed conference substitute is the same as the Senate amendment.

## SECTION 3. FOREST HIGHWAYS AND FOREST DEVELOPMENT ROADS AND TRAILS

*(a) Authorization of appropriations*

Subsection (a) of section 3 of the Senate amendment authorizes appropriations for forest highways and for forest development roads and trails. It differs from the House bill in that it provides for the fiscal year ending June 30, 1959, an additional \$10,000,000 for forest highways. The House bill does not provide such an authorization. The proposed conference substitute would authorize an additional \$5,000,000 for forest highways for the fiscal year ending June 30, 1959. The Senate amendment provides \$36,000,000 for such highways for each of the fiscal years ending June 30, 1960, and June 30, 1961. The equivalent provision in the House bill is an authorization of \$30,000,000 for such highways for such fiscal years. The proposed conference substitute authorizes \$33,000,000 for such highways for such fiscal years. The Senate amendment provides for the fiscal year ending June 30, 1959, an additional authorization of \$13,000,000 for forest development roads and trails. The House bill does not provide such an authorization. The proposed conference substitute would authorize an additional \$5,000,000 for the fiscal year ending June 30, 1959, for forest development roads and trails. The Senate amendment authorized \$34,000,000 for such roads and trails for each of the fiscal years ending June 30, 1960, and June 30, 1961. In connection with the Senate amendment for forest development roads and trails, the Forest Service is requested to give due cognizance to the need to provide all weather roads to recreational areas under Federal jurisdiction. The House bill provides \$28,500,000 for such roads and trails for such fiscal years. The proposed conference substitute provides \$30,000,000. The Senate amendment provides that with respect to any proposed construction or reconstruction of a timber-access road advisory public hearings "may" be held. The House bill with respect to such proposed timber-access roads provides that advisory hearings "shall" be held. The proposed conference substitute adopts the language of the Senate amendment.

Section 3 of the Senate amendment also provides that in apportioning the funds for forest highways authorized under this section for fiscal years ending June 30, 1959, 1960, and 1961, the same percentage shall be apportioned to each State, Alaska, and Puerto Rico as was apportioned from the funds authorized for forest highways for the fiscal year ending June 30, 1958. The House bill provides that the apportionment for forest highways for fiscal years ending June 1960, and June 30, 1961, shall be in accordance with the provisions of section 3 of the Federal-Aid Highway Act of 1950.

The proposed conference substitute, except for technical changes, is the same as the Senate amendment.

Subsection (a) of section 3 of the Senate amendment further provides that a State may transfer not to exceed the lesser of \$500,000 or 5 percent of the amount apportioned to it under the first section of this act (relating to apportionments for the ABC systems) to augment its apportionment for forest highways and when transferred such sums may be expended as any other funds authorized for forest highway purposes.

The proposed conference substitute, except for technical changes, is the same as the Senate amendment.



(b) *Forest highways*

Subsection (b) of section 3 of the Senate amendment requires the Secretary of Commerce to make a study in cooperation with the appropriate officers of each State containing a national forest, the Commonwealth of Puerto Rico, and the Territory of Alaska, to determine forest roads of primary importance, including those within, adjoining, or adjacent to national forests, which have not been designated as forest highways, together with the amounts necessary for survey, construction, reconstruction, and maintenance for 10 fiscal years beginning with the fiscal year commencing July 1, 1961, and the method by which such amounts should be apportioned for expenditure and requires a report to be made to the President and Congress on or before January 1, 1960. The House bill contains no comparable provision.

The conference substitute is the same as the Senate amendment, except for certain technical amendments, the principal one being to include the Secretary of Agriculture in the group to cooperate with the Secretary of Commerce in making the study, recommendations, and report.

SECTION 4. ROADS AND TRAILS IN NATIONAL PARKS, ETC.

(a) *National parks, etc.*

Subsection (a) of section 3 of the House bill authorizes the appropriation of \$16,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961, for roads and trails in national parks. The Senate amendment provides an increase of \$4,000,000 over this amount thus authorizing \$20,000,000 for each such fiscal year for roads and trails in national parks.

The proposed conference substitute authorizes the appropriation of \$18,000,000 for the fiscal years ending June 30, 1960, and June 30, 1961, for roads and trails in national parks.

(c) *Indian reservations and lands*

Subsection (c) of section 3 of the House bill is the same as subsection (c) of section 4 of the Senate amendment, both relating to Indian reservation roads and bridges, with the exception that the House bill provides for the "construction, improvement, and maintenance" of roads and bridges on Indian reservations and lands and the Senate amendment provides for the "construction, reconstruction, and improvement" of Indian reservation roads and bridges.

The proposed conference substitute is the same as the Senate amendment.

SECTION 5. PUBLIC LANDS HIGHWAYS

Section 4 of the House bill relating to public lands highways authorizes the appropriation of \$2,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961. The Senate amendment provides an authorization of an additional \$2,000,000 for the fiscal year ending June 30, 1959, and the appropriation of \$4,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961.

The proposed conference substitute authorizes an additional \$1,000,000 for the fiscal year ending June 30, 1959, and authorizes the appropriation of \$3,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961.

## SECTION 7

The House bill contained no provision comparable to section 7 of the Senate amendment.

*(a) Authorization of appropriations for Interstate System*

Subsection (a) of section 7 of the Senate amendment amends section 108 (b) (relating to the authorization of appropriations for the National System of Interstate and Defense Highways) of the Federal-Aid Highway Act of 1956 to increase the authorization presently contained in that section for the fiscal year ending June 30, 1959, by \$200,000,000 and for the fiscal years ending June 30, 1960, and June 30, 1961, by an additional \$300,000,000 for each such fiscal year. This would be a total increase in authorization for the Interstate System for these 3 fiscal years of \$800,000,000. The total authorization for fiscal year ending June 30, 1959, would thus be \$2.2 billion; for fiscal year ending June 30, 1960, \$2.5 billion; and for fiscal year ending June 30, 1961, \$2.5 billion.

The proposed conference substitute is the same as the Senate amendment.

*(b) Apportionments*

Subsection (b) of section 7 of the Senate amendment provides that the additional \$200,000,000 authorized for the fiscal year ending June 30, 1959, for the Interstate System shall be apportioned immediately upon enactment of this act.

The proposed conference substitute is the same as the Senate amendment, except for technical amendments.

SECTION 8. APPROVAL OF ESTIMATE OF COST OF COMPLETING THE INTERSTATE SYSTEM

The House bill contains no provision comparable to section 8 of the Senate amendment.

Section 8 of the Senate amendment approves as the basis for making the apportionment of funds authorized for the Interstate System for the fiscal year ending June 30, 1960, the estimate of cost for completing such Interstate System which was transmitted to Congress January 7, 1958, by the Secretary of Commerce in accordance with section 108 (d) of the Federal-Aid Highway Act of 1956.

The proposed conference substitute is the same as the Senate amendment.

SECTION 9. APPORTIONMENT OF FEDERAL-AID HIGHWAY FUNDS FOR FISCAL YEARS 1959 AND 1960

The House bill contains no provision comparable to section 9 of the Senate amendment.

Section 9 of the Senate amendment has the effect of suspending for the fiscal years 1959 and 1960, the operation of section 209 (g) of the Highway Revenue Act of 1956, which requires the adjustment of apportionments whenever amounts in the highway trust fund are not sufficient to defray expenditures required to be made from that fund. It further requires the Secretary of Commerce to apportion among the several States all of the funds authorized for the fiscal years 1959 and 1960 for the Interstate System and the ABC systems.

The proposed conference substitute is the same as the Senate amendment.



## SECTION 10. PAYMENTS FOR STOCKPILED MATERIALS

The House bill contains no provision comparable to section 10 of the Senate amendment.

Section 10 of the Senate amendment amends section 13 of the Federal Highway Act approved November 9, 1921, to provide that progress payments made in connection with construction or reconstruction projects may include the United States pro rata share of the value of materials stockpiled in the vicinity of such construction or reconstruction in conformity with the approved plans and specifications for incorporation in such projects.

Except for technical amendments, the conference substitute is the same as section 10 of the Senate amendment.

## SECTION 11

The House bill contains no provision comparable to section 11 of the Senate amendment.

Subsection (a) of section 11 of the Senate amendment amends section 111 (a) of the Federal-Aid Highway Act of 1956 by adding a proviso at the end thereof which would require that reimbursement for the cost of relocation of utility facilities necessitated by construction of a Federal-aid highway project be made only after evidence has been presented to the Secretary of Commerce that the State paid such cost from its own funds and the Secretary is satisfied of that fact by that evidence. Except for this new proviso, this section continues in effect the present law as set forth in the Federal-Aid Highway Act of 1956 insofar as Federal funds are used for reimbursement to the various States for their payment of the cost of utility relocation.

Subsection (b) of section 11 of the Senate amendment makes the proviso added to section 111 (a) of the Federal-Aid Highway Act of 1956 applicable only with respect to those Federal-Aid Highway projects for which funds are obligated for work, including relocation of utility facilities, after the date of enactment of this act.

The proposed conference substitute is the same as the Senate amendment, except that certain technical amendments were made, and the provisions of subsection (b) of section 11 of the Senate amendment are made a part of a new proviso added to section 111 (a) of the Federal-Aid Highway Act of 1956.

## SECTION 12

The House bill contains no provision comparable to section 12 of the Senate amendment.

Section 12 of the Senate amendment would renumber existing section 122 of the Federal-Aid Highway Act of 1956 as section 123 and would insert after the existing section 121 of such act of 1956 a new section 122.

Subsection (a) of this new section 122 states as a new national policy that it is in the public interest to encourage and assist the States to control the use of and improve the areas adjacent to the Interstate System by controlling outdoor advertising in those areas. It specifies as national policy that outdoor advertising along Interstate System highways which is visible from the main portion of the highway and within a distance of 660 feet should be regulated consistent with

standards to be prepared and promulgated by the Secretary of Commerce, which shall include only the following 4 types of signs: (1) directional or other official signs and notices required or authorized by law; (2) signs advertising the sale or lease of property upon which they are located; (3) signs permitted by State law advertising activities within 12 miles of the point at which the signs are located which signs are consistent with the national policy and standards; and (4) signs designed to give information in the specific interest of the traveling public which are erected pursuant to State law and which are consistent with the national policy and standards. It is the intent of this subsection to eliminate all signs advertising illegal activities. The application of subsection (a) is restricted to rights-of-way on the Interstate System the entire width of which is acquired subsequent to July 1, 1956.

Subsection (b) of such new section 122 authorizes the Secretary of Commerce to enter into agreements with State highway departments to carry out the policy set forth in subsection (a) of this section with respect to the Interstate System. Any such agreement would include provisions for regulation and control of the erection and maintenance of advertising signs, displays, and other advertising devices in conformity with the standards established under subsection (a). It further provides that upon the application of any State any such agreement may, in the discretion of the Secretary of Commerce, exclude from the application of the national standards set forth in subsection (a) of this new section 122, those portions of the Interstate System which pass through municipalities wherein the use of real property adjacent to the Interstate System is subject to municipal regulation and control, or which traverse areas where the land use is clearly established by State law as industrial or commercial. Subsection (b) further provides that any section of the Interstate System so excluded from the application of the standards provided under authority of subsection (a) shall not be considered in computing the increase of the Federal share payable because of the control of advertising on the Interstate System.

Subsection (c) of such new section 122 provides that if an agreement to control advertising is entered into between the Secretary of Commerce and any State pursuant to this section before July 1, 1961, the Federal share payable on account of any project on the Interstate System within that State provided for by funds authorized under section 108 of the Federal-Aid Highway Act of 1956 to which this new national policy shall apply shall be increased by one-half of 1 percent of the total cost thereof. This in effect would increase the Federal share for payment on the Interstate System to 90½ percent. This subsection further provides that the increased one-half of 1 percent shall be paid out of any money in the Treasury not otherwise appropriated, and such appropriations are authorized by the subsection.

Subsection (d) of such new section 122 authorizes the Secretary of Commerce to enter into an agreement with any agency having jurisdiction over lands and reservations of the United States which are public in nature and adjacent to the Interstate System to carry out the policy set forth in subsection (a) of this section. It further authorizes and directs any such agency to fully cooperate with the Secretary of Commerce.



Subsection (e) provides that whenever a State shall acquire by purchase or condemnation the right to advertise or regulate advertising in an area adjacent to the right-of-way on a project of the Interstate System for the purpose of carrying out the policy set forth in this new section 122 the cost of such acquisition shall be considered as a part of the construction cost of the project with the limitation that Federal funds not in excess of 5 percent of the cost of the right-of-way for such project may be used to reimburse the State for the acquisition of such adjacent area.

The proposed conference substitute is the same as the Senate amendment.

#### SECTION 13. PUBLIC HEARINGS

There is no provision in the House bill comparable to section 13 of the Senate amendment.

Section 13 of the Senate amendment amends section 116 (e) of the Federal-Aid Highway Act of 1956 by inserting language which provides that whenever a State highway department submits plans for an Interstate System project in a rural area it shall certify to the Commissioner of Public Roads that it has held a public hearing within that rural area at a convenient location or afforded an opportunity for such hearing for the purpose of hearing testimony from interested persons within the rural area through or by whose property the Interstate System project will pass.

Except for technical amendments, the proposed conference substitute is the same as the Senate amendment.

Under the conference agreement the title of the bill is "An Act to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, and the Act approved June 29, 1956 (70 Stat. 374), to authorize appropriations for continuing the construction of highways, and for other purposes."

GEORGE H. FALLON,

JOHN A. BLATNIK,

CLIFFORD DAVIS,

J. HARRY MCGREGOR,

MYRON V. GEORGE,

*Managers on the Part of the House.*







these colleagues of ours, who recently introduced a bill vital to our national security. Together they placed before the Congress a measure which is designed to strengthen our defense.

I want to join with them in their effort to cut down waste and duplication in the Pentagon, while at the same time increasing efficiency and doing away with impediments to progress and decision while reducing defense cost.

A major question confronting our Nation today, one on which we must come to a decision, deals with our national defense forces, their composition and organization.

This duty was placed upon the Congress by the Constitution, and on Congress this responsibility rests. I applaud the gentlemen who introduced this bill, which I sincerely consider to be a most sound and valid proposition. Their proposals would assure the necessary steps so as to provide military forces and organization of maximum strength.

This bill takes essential steps in several areas in which I believe action is required.

The reduction in the number of deputies, assistants, deputies to deputies and assistants, and assistants to deputies and assistants will be an essential move to clear a straight path for direction and decision through the administrative maze which now exists in the Pentagon.

But this is not enough. Merely to reduce the number of the superiors in the Pentagon is not sufficient. The vast number of employees, concentrated in the Department of Defense in the last few years, must also be reduced. Otherwise, the purpose to increase efficiency will be thwarted as effectively as it is now. The Vinson-Arends-Kilday bill places a realistic maximum, 600, on the number of such employees.

Once this reduction in the number of Assistant Secretaries and employees is effected we will remove a hindrance to progress and will facilitate decision. This organization now delves into and interferes with the military services in the performance of their respective missions. In the reduced organization, the mass of trivia now forced upon the Secretary of Defense will be largely done away with. Instead, the Secretary of Defense will be able to devote his time and attention to matters appropriate to his position and responsibility. At the same time the military departments will be freed of harassment to devote their time to defending our country, with the military departments administered as the law presently provides, and this for the first time in years.

The Joint Chiefs of Staff will have their control over our unified forces strengthened—leaving no question as to authority in this matter. A provision facilitating and emphasizing the delegation of administrative duties is included in this bill, assuring the Joint Chiefs adequate assistance in the performance of their duties.

Of great importance, I believe, is the provision restoring the Comptroller of the Department of Defense to the position intended in the law. Under this bill there should be no doubt that the

Comptroller's interest is in fiscal and financial management areas, not strategic and military operational areas. This would clear another block to progress and decision.

I am proud to associate myself with the purposes and provisions of this bill. It shows the keen understanding which we all know these gentlemen possess, particularly in military and naval matters. This bill represents the type of constructive legislative leadership which is to the everlasting credit of our legislative and governmental system.

I particularly commend this bill to the attention of my colleagues—it builds upon a firm foundation which is tested. It strengthens the sound portions and cuts away the weak areas. I urge everyone to give particular consideration to this proposal.

#### STORY OF FREE ENTERPRISE

(Mr. ALGER asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ALGER. Mr. Speaker, at my house, if we are to spend more than we earn, I know I will have to borrow the difference. I know, too, that this can not go on indefinitely for my credit rating will get shakier as my debts mount.

Mr. Bernard Baruch told us yesterday that precisely the same principles apply to our Government. "A tax cut," he said, "will increase the deficit, add to the debt, and further weaken the Government's credit." He insisted that "we reject tax reduction and pump-priming proposals which require deficit financing." That is the way it has to be in my house, too; and the need for it is not a bit difficult for an unsophisticated fellow to understand.

Yet, every day we hear eloquent pleas in Congress for simultaneous cuts in taxes—Government income—and vast expansion of Government spending, ostensibly to help the jobless. As though more debt could cure our over-indebtedness. Can more inflation cure the evils of inflation.

Do you recall the story about the fellow who asked a lad if he would sell his disreputable-looking dog?

"Sure, Mister," replied the youngster. "I will take \$1,000 for him."

Muttering about smart-alecky kids, the man left. Next day, he encountered the boy again and laughingly asked: "Sell your dog, kid?"

"Yep."

"Did you get \$1,000 for him?"

"Sure did."

"Let's see the money."

To which the boy replied: "Well, I did not exactly get cash, but I traded him to a girl for two \$500 cats."

If we follow the course many politicians are suggesting, we may soon be trading in \$1,000 cats and dogs, all the while avoiding recession. Sound economic principles are needed now; not playing politics.

Winston Churchill is said to have described the quality most essential in a politician as "the ability to foretell what will happen tomorrow, next month and next year—and to explain afterward why it did not happen."

#### CORRECTION OF ROLLCALL NO. 38

Mr. WITHROW. Mr. Speaker, on rollcall No. 38 I am recorded as absent. I was present and voted "yea." I ask unanimous consent that the permanent RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

#### CORRECTION OF RECORD

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to correct the RECORD of April 1 as follows:

In the third column, in the third line from the bottom of page 5350, delete the third line and insert instead the words "to reduce their prices and."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### FEDERAL AID HIGHWAY ACT OF 1958

Mr. FALLON submitted the following conference report and statement on the bill (H. R. 9821) to amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways:

##### CONFERENCE REPORT (H. REPT. NO. 1591)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9821) to amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

##### "SEC. 1. Federal-aid highways.

"(a) (1) Authorization of appropriations: For the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated the sum of \$900,000,000 for the fiscal year ending June 30, 1960; and the sum of \$925,000,000 for the fiscal year ending June 30, 1961. The sums herein authorized for each fiscal year shall be available for expenditure as follows:

"(A) 45 per centum for projects on the Federal-aid primary highway system.

"(B) 30 per centum for projects on the Federal-aid secondary highway system.

"(C) 25 per centum for projects on extensions of these systems within urban areas.

"(2) Apportionments: The sums authorized by this section shall be apportioned among the several States in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838).

"(b) Availability for expenditure: Any sums apportioned to any State under this section shall be available for expenditure in that State for two years after the close of the fiscal year for which such sums are authorized, and any amounts so apportioned



remaining unexpended at the end of such period shall lapse: *Provided*, That such funds shall be deemed to have been expended if a sum equal to the total of the sums herein and heretofore apportioned to the State is covered by formal agreements with the Secretary of Commerce for construction, reconstruction, or improvements of specific projects as provided in this Act and prior Acts: *Provided further*, That in the case of those sums heretofore, herein, or hereafter apportioned to any State for projects on the Federal-aid secondary highway system, the Secretary of Commerce may, upon the request of any State, discharge his responsibility relative to the plans, specifications, estimates, surveys, contract awards, design, inspection, and construction of such secondary road projects by his receiving and approving a certified statement by the State highway department setting forth that the plans, design, and construction for such projects are in accord with the standards and procedures of such State applicable to projects in this category approved by him: *Provided further*, That such approval shall not be given unless such standards and procedures are in accordance with the objectives set forth in section 1 (b) of the Federal-Aid Highway Act of 1950: *And provided further*, That nothing contained in the foregoing provisos shall be construed to relieve any State of its obligation now provided by law relative to maintenance, nor to relieve the Secretary of Commerce of his obligation with respect to the selection of the secondary system or the location of projects thereon, to make a final inspection after construction of each project, and to require an adequate showing of the estimated and actual cost of construction of each project. Any Federal-aid primary, secondary, or urban funds released by the payment of the final voucher or by modification of the formal project agreement shall be credited to the same class of funds, primary, secondary, or urban, previously apportioned to the State and be immediately available for expenditure.

"SEC. 2. Additional authorization of appropriation of Federal-aid primary, secondary, and urban funds.

"(a) Amount and apportionment: For the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1959, \$400,000,000 in addition to any sums heretofore authorized for such fiscal year. The sum herein authorized shall be apportioned: (A) 45 per centum for projects on the Federal-aid primary highway system, (B) 30 per centum for projects on the Federal-aid secondary highway system, and (C) 25 per centum for projects on extensions of these systems within urban areas among the several States immediately upon enactment of this Act in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838), using the same percentage distribution as was used in the apportionment of Federal-aid highway funds heretofore authorized for the fiscal year ending June 30, 1959.

"(b) Availability for expenditure: The amounts authorized to be appropriated in section 2 (a) herein shall be available for expenditure pursuant to contracts awarded or work commenced by the State highway departments prior to December 1, 1958, for completion of construction prior to December 1, 1959, subject to delays caused by circumstances and conditions beyond the control of, and without the fault of any contractor on such contracts, and delays created by acts of God. Any amounts apportioned to a State under provisions of this

section remaining unexpended on December 1, 1958, shall lapse: *Provided*, That such funds shall be deemed to have been expended when covered by contracts awarded or work commenced prior to December 1, 1958, and on account of which formal agreements with the Secretary of Commerce are entered into prior to January 1, 1959, for specific projects.

"(c) Expenditure without limitation as to system: The sums apportioned under this section shall be available for expenditure for projects on the primary or secondary Federal-aid systems, including extensions of these systems within urban areas, without limitation as to the amount of any class of funds, primary, secondary, or urban, apportioned for projects on any system.

"(d) Federal share: The Federal share payable on account of any project provided for by funds made available under the provisions of this section shall not exceed 66⅔ per centum of the total cost thereof plus, in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein, a percentage of the remaining 33⅓ per centum of such cost equal to the percentage that the area of such lands in such State is of its total area: *Provided*, That such Federal share payable on any project in any State shall not exceed 95 per centum of the total cost of such project.

"(e) Authorization of appropriation for increasing Federal share: For the purpose of assisting any State in meeting the requirements for State funds to match any sums apportioned to such State under the provisions of this section, there is hereby authorized to be appropriated the sum of \$115,000,000 which sum may be used by the Secretary of Commerce upon the request of any State to increase the Federal share payable on account of any project provided for by funds made available under the provisions of this section: *Provided*, That the amount of such increase of the Federal share shall not exceed two-thirds of the State's share of the cost of such project.

"(f) Repayment of amounts used to increase Federal share: The total amount of such increases in the Federal share as are made pursuant to subsection (e) above, shall be repaid to the Federal Government by making deductions of sums equal to the amounts so expended for projects on the Federal-aid primary highway system, the Federal-aid secondary highway system and extensions of such systems in urban areas in two equal annual installments from the amounts available to such State for expenditure on such highways under any apportionment of funds herein or hereafter authorized to be appropriated therefor for the fiscal years ending June 30, 1961 and June 30, 1962.

"(g) Contract authority: Approval by the Secretary of Commerce of any project on account of which the Federal share is increased under the provisions of this section shall be deemed a contractual obligation of the Federal Government for the payment of such increase in the Federal share, and its expenditure shall be governed by the provisions of subsection (b) of this section.

"(h) Declaration of intent: It is hereby declared to be the intent of the Congress that the sum authorized under subsection (a) of this section shall be supplementary to, and not in lieu of, any other sum heretofore or herein authorized for expenditure on the Federal-aid primary or secondary systems, including extensions of these systems within urban areas, and is made available for the purpose of immediate acceleration of the rate of highway construction on these systems beyond that being accomplished with funds heretofore authorized.

"SEC. 3. Forest highways and forest development roads and trails.

"(a) Authorization of appropriations: For the purpose of carrying out the provisions of section 23 of the Federal Highway Act of 1921 (42 Stat. 218), as amended and supplemented, there is hereby authorized to be appropriated (1) for forest highways the additional sum of \$5,000,000 for the fiscal year ending June 30, 1959, and the sum of \$33,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961; and (2) for forest development roads and trails the additional sum of \$5,000,000 for the fiscal year ending June 30, 1959, and the sum of \$30,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961: *Provided*, That, with respect to any proposed construction or reconstruction of a timber access road, advisory public hearings may be held at a place convenient or adjacent to the area of construction or reconstruction with notice and reasonable opportunity for interested persons to present their views as to the practicability and feasibility of such construction or reconstruction: *Provided further*, That hereafter funds available for forest highways and forest development roads and trails shall also be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities: *Provided further*, That the additional sum authorized under this subsection for forest highways for the fiscal year ending June 30, 1959, shall be apportioned for expenditure in each State, Alaska, and Puerto Rico immediately upon enactment of this Act: *Provided further*, That the additional amount herein authorized for the fiscal year ending June 30, 1959, and the amounts authorized herein for forest highways for each of the fiscal years ending June 30, 1960, and June 30, 1961, shall be apportioned for expenditure in each State, Alaska, and Puerto Rico in same percentage as the amounts apportioned for expenditure in each State, Alaska, and Puerto Rico from funds authorized for forest highways for the fiscal year ending June 30, 1958: *And provided further*, That when approved by the Secretary of Commerce, a State may use not to exceed the lesser of \$500,000 or 5 per centum of the amounts apportioned to such State under section 1 hereof for each of the fiscal years ending June 30, 1960, and June 30, 1961, for the construction, reconstruction, or improvement of forest highways on any of the Federal-aid highway systems and such sums may be expended in the same manner as funds authorized by this section.

"(b) Forest highways study: The Secretary of Commerce, in cooperation with the Secretary of Agriculture and the appropriate officers of each State containing a national forest, the Commonwealth of Puerto Rico, and the Territory of Alaska, shall make a study to determine—

"(1) the roads of primary importance to a State, county, or community which are within, adjoining, or adjacent to a national forest and have not been designated as forest highways;

"(2) the amount necessary to complete construction of all designated forest highways;

"(3) the amounts necessary for the fiscal year ending June 30, 1962, and for each of the nine succeeding fiscal years to survey, construct, reconstruct, and maintain (A) roads described in paragraph (1) of this subsection if such roads were forest highways, and (B) roads designated as forest highways, in accordance with a program to be recommended by the Secretary of Commerce after consultation with the Secretary of Agriculture; and

"(4) the method by which the amounts determined pursuant to paragraph (3) of this subsection should be apportioned for



expenditure in the several States, Alaska, and Puerto Rico.

"The Secretary of Commerce shall report the results of such study to the President and the Congress on or before January 1, 1960.

"SEC. 4. Roads and trails in national parks, etc.

"(a) National parks, etc.: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of \$18,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961.

"(b) Parkways: For the construction, reconstruction, and improvement of parkways, authorized by Acts of Congress, on lands to which title is vested in the United States, there is hereby authorized to be appropriated the sum of \$16,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961.

"(c) Indian reservations and lands: For the construction, reconstruction, and improvement of Indian reservation roads and bridges and roads and bridges to provide access to Indian reservations and Indian lands under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of \$12,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961: *Provided*, That the location, type, and design of all roads and bridges constructed shall be approved by the Secretary of Commerce before any expenditures are made thereon, and all such construction shall be under the general supervision of the Secretary of Commerce.

"SEC. 5. Public lands highways.

"For the purpose of carrying out the provisions of section 10 of the Federal-Aid Highway Act of 1950 (64 Stat. 785), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, non-taxable Indian lands, or other Federal reservations the additional sum of \$1,000,000 for the fiscal year ending June 30, 1959, and the sum of \$3,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961.

"SEC. 6. Special provisions for Federal domain roads, etc.

"Any funds authorized herein for forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public lands highways shall be available for contract upon apportionment, or a date not earlier than one year preceding the beginning of the fiscal year for which authorized if no apportionment is required: *Provided*, That any amount remaining unexpended two years after the close of the fiscal year for which authorized shall lapse. The Secretary of the department charged with the administration of such funds is hereby granted authority to incur obligations, approve projects, and enter in contracts under such authorizations, and his action in doing so shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and such funds shall be deemed to have been expended when so obligated. Any funds heretofore, herein, or hereafter authorized for any fiscal year for forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public lands highways shall be deemed to have been expended if a sum equal to the total of the sums authorized for such fiscal

year and previous fiscal years since and including the fiscal year ending June 30, 1955, shall have been obligated. Any of such funds released by payment of final voucher or modification of project authorization shall be credited to the balance of unobligated authorizations and be immediately available for expenditure.

"SEC. 7. (a) Authorization of appropriations for interstate system.

"Section 108 (b) of the Federal-Aid Highway Act of 1956 (70 Stat. 374) is hereby amended to read as follows:

"(b) Authorization of appropriations: For the purpose of expediting the construction, reconstruction, or improvement, inclusive of necessary bridges and tunnels, of the Interstate System, including extensions thereof through urban areas, designated in accordance with the provisions of section 7 of the Federal-Aid Highway Act of 1944 (58 Stat. 838), there is hereby authorized to be appropriated the additional sum of \$1,000,000,000 for the fiscal year ending June 30, 1957, which sum shall be in addition to the authorization heretofore made for that year, the additional sum of \$1,700,000,000 for the fiscal year ending June 30, 1958, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1959, the additional sum of \$2,500,000,000 for the fiscal year ending June 30, 1960, the additional sum of \$2,500,000,000 for the fiscal year ending June 30, 1961, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1962, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1963, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1964, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1965, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1966, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1967, the additional sum of \$1,500,000,000 for the fiscal year ending June 30, 1968, and the additional sum of \$1,025,000,000 for the fiscal year ending June 30, 1969."

"(b) Apportionments: Any portion of the additional sum authorized for the fiscal year ending June 30, 1959, by section 108 (b) of the Federal-Aid Highway Act of 1956, as amended by this section, that has not been apportioned heretofore shall be apportioned immediately upon enactment of this Act, using certifications previously furnished by the States pursuant to section 108 (j) of the Federal-Aid Highway Act of 1956 and using the same percentage distributions as were used heretofore in the apportionment of funds authorized by section 108 (b) of the Federal-Aid Highway Act of 1956 for the fiscal year ending June 30, 1959.

"SEC. 8. Approval of estimate of cost of completing the Interstate System.

"The estimate of cost of completing the Interstate System in each State, transmitted to the Congress on January 7, 1958, by the Secretary of Commerce pursuant to the provisions of section 108 (d) of the Act approved June 29, 1956 (70 Stat. 374), and published as House Document Numbered 300, Eighty-fifth Congress, second session, is hereby approved as the basis for making the apportionment of the funds authorized for the Interstate System for the fiscal year ending June 30, 1960.

"SEC. 9. Apportionment of Federal-aid highway funds for fiscal years 1959 and 1960.

"Notwithstanding the provisions of section 209 (g) of the Act approved June 29, 1956 (70 Stat. 374), the Secretary of Commerce is authorized and directed to apportion among the several States in the manner provided by law, all of the funds authorized for the fiscal years 1959 and 1960, for the Interstate System and the Federal-aid primary and secondary highway systems, including extensions thereof within urban areas.

"SEC. 10. Payments for stockpiled materials.

"The first sentence of the second paragraph of section 13 of the Federal Highway Act, approved November 9, 1921 (42 Stat. 212), is amended by inserting before the period at the end thereof the following: 'plus the United States pro rata part of the value of the materials which have been stockpiled in the vicinity of such construction or reconstruction in conformity to said plans and specifications'.

"SEC. 11.

"Subsection (a) of section 111 of the Federal-Aid Highway Act of 1956 is amended to read as follows:

"(a) Availability of Federal funds for reimbursement to States: Subject to the conditions contained in this section, whenever a State shall pay for the cost of relocation of utility facilities necessitated by the construction of a project on the Federal-aid primary or secondary systems or on the Interstate System, including extensions thereof within urban areas, Federal funds may be used to reimburse the State for such cost in the same proportion as Federal funds are expended on the project: *Provided*, That Federal funds shall not be reimbursed to any State under this section when the payment to the utility violates the law of the State or violates a legal contract between the utility and the State: *Provided further*, That such reimbursement shall be made only after evidence satisfactory to the Secretary shall have been presented to him substantiating the fact that the State has paid such cost from its own funds with respect to Federal-aid highway projects for which Federal funds are obligated subsequent to the date of enactment of the Federal-Aid Highway Act of 1958 for work, including relocation of utility facilities."

"SEC. 12.

"The Federal-Aid Highway Act of 1956 (70 Stat. 374) is amended by renumbering section 122 as section 123 and inserting a new section 122, as follows:

"SEC. 122. Areas adjacent to the Interstate System.

"(a) National policy: To promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investment in the National System of Interstate and Defense Highways, it is hereby declared to be in the public interest to encourage and assist the States to control the use of and to improve areas adjacent to the Interstate System by controlling the erection and maintenance of outdoor advertising signs, displays, and devices adjacent to that system. It is hereby declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within six hundred and sixty feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System constructed upon any part of right-of-way, the entire width of which is acquired subsequent to July 1, 1956, should be regulated, consistent with national standards to be prepared and promulgated by the Secretary, which shall include only the following four types of signs, and no signs advertising illegal activities:

"(1) Directional or other official signs or notices that are required or authorized by law.

"(2) Signs advertising the sale or lease of the property upon which they are located.

"(3) Signs erected or maintained pursuant to authorization or permitted under State law, and not inconsistent with the national policy and standards of this section, advertising activities being conducted at a location within twelve miles of the point at which such signs are located.

"(4) Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to



give information in the specific interest of the traveling public.

“(b) Agreements: The Secretary of Commerce is authorized to enter into agreements with State highway departments (including such supplementary agreements as may be necessary) to carry out the national policy set forth in subsection (a) of this section with respect to the Interstate System within the State. Any such agreement shall include provisions for regulation and control of the erection and maintenance of advertising signs, displays, and other advertising devices in conformity with the standards established in accordance with subsection (a) and may include, among other things, provisions for preservation of natural beauty, prevention of erosion, landscaping, reforestation, development of viewpoints for scenic attractions that are accessible to the public without charge, and the erection of markers, signs, or plaques, and development of areas in appreciation of sites of historical significance. Upon application of the State, any such agreement may, within the discretion of the Secretary of Commerce, consistent with the national policy, provide for excluding from application of the national standards segments of the Interstate System which traverse incorporated municipalities wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control, or which traverse other areas where the land use is clearly established by State law as industrial or commercial: *Provided, however, That any such segment excluded from the application of such standards shall not be considered in computing the increase of the Federal share payable on account thereof.*

“(c) Federal share: Notwithstanding the provisions of section 2 of the Federal-Aid Highway Act of 1944 (58 Stat. 838), if an agreement pursuant to this section has been entered into with any State prior to July 1, 1961, the Federal share payable on account of any project on the Interstate System within that State provided for by funds authorized under the provisions of section 108 of this Act, to which the national policy and the agreement apply, shall be increased by one-half of one per centum of the total cost thereof, not including any additional cost that may be incurred in the carrying out of the agreement: *Provided, That the increase in the Federal share which is payable hereunder shall be paid only from appropriations from moneys in the Treasury not otherwise appropriated, which such appropriations are hereby authorized.*

“(d) Whenever any portion of the Interstate System is located upon or adjacent to any public lands or reservations of the United States, the Secretary of Commerce may make such arrangements and enter into such agreements with the agency having jurisdiction over such lands or reservations as may be necessary to carry out the national policy set forth in subsection (a) of this section, and any such agency is hereby authorized and directed to cooperate fully with the Secretary of Commerce in this connection.

“(e) Whenever a State shall acquire by purchase or condemnation the right to advertise or regulate advertising in an area adjacent to the right-of-way of a project on the Interstate System for the purpose of implementing this section, the cost of such acquisition shall be considered as a part of the cost of construction of such project and Federal funds may be used to pay the Federal pro rata share of such cost: *Provided, That reimbursement to the State shall be made only with respect to that portion of such cost which does not exceed 5 per centum of the cost of the right-of-way for such project.*

#### “SEC. 13. Public hearings.

“Section 116 (c) of the Federal-Aid Highway Act of 1956 is amended by inserting

therein, immediately before the colon preceding the proviso, a semicolon and the following: ‘and any State highway department which submits plans for an Interstate System project shall certify to the Secretary of Commerce that it has had public hearings at a convenient location, or has afforded the opportunity for such hearings, for the purpose of enabling persons in rural areas through or contiguous to whose property the highway will pass to express any objections they may have to the proposed location of such highway.’

#### “SEC. 14. Relationship of this act to other acts: Effective date.

“All provisions of the Federal-Aid Road Act approved July 11, 1916, together with all Acts amendatory thereof or supplementary thereto, not inconsistent with this Act, shall remain in full force and effect and be applicable hereto. All Acts or parts of Acts in any way inconsistent with the provisions of this Act are hereby repealed. This Act shall take effect on the date of enactment.

#### “SEC. 15. Short title.

“This Act may be cited as the ‘Federal-Aid Highway Act of 1958’.”

Amend the title so as to read: “An Act to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, and the Act approved June 29, 1956 (70 Stat. 374), to authorize appropriations for continuing the construction of highways, and for other purposes.”

And the Senate agree to the same.

GEORGE H. FALLON,  
JOHN A. BLATNIK,  
CLIFFORD DAVIS,  
J. HARRY MCGREGOR,  
MYRON V. GEORGE,

*Managers on the Part of the House.*

DENNIS CHAVEZ,  
ROBERT S. KERR,  
ALBERT GORE,  
EDWARD MARTIN,  
FRANCIS CASE,

*Managers on the Part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H. R. 9821 amending and supplementing the Federal-Aid Road Act, approved July 11, 1916, to authorize appropriations for continuing the construction of highways, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment to the text of the House bill strikes all after the enacting clause and inserts a substitute. The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for both the House bill and the Senate amendment. The differences between the House bill and the substitute agreed to in the conference are noted in the following outline except for incidental minor differences made necessary by reason of technical and clerical conforming amendments.

#### SECTION 2. ADDITIONAL AUTHORIZATION OF APPROPRIATION OF FEDERAL-AID PRIMARY, SECONDARY, AND URBAN FUNDS

There is no provision in the House bill comparable to section 2 of the Senate amendment.

(a) Amount and apportionment: Subsection (a) of section 2 of the Senate amendment would authorize the appropriation of an additional \$400 million for the fiscal year ending June 30, 1959, for immediate apportionment for projects on the ABC systems at the percentages and in accordance with the normal procedures now provided by law.

Subsection (a) of section 2 of the proposed conference substitute is the same as the Senate amendment.

(b) Availability for expenditure: Subsection (b) of section 2 of the Senate amendment provides that the \$400 million shall be available only for expenditure on contracts awarded by the State before December 1, 1958, which provide for completion of construction before December 1, 1959, subject to delays not the fault of the contractor or created by acts of God. The subsection also provides that the amount apportioned to a State not expended on December 1, 1958, shall lapse.

Except for minor technical changes subsection (b) of section 2 of the proposed conference substitute is the same as the Senate amendment.

(c) Expenditure without limitation as to system: Subsection (c) of section 2 of the Senate amendment provides that when the \$400 million has been apportioned, a State may spend its share of these funds without limitation as to the percentage to be utilized on any one system.

Except for a technical amendment, the proposed conference substitute is the same as the Senate amendment.

(d) Federal share: Subsection (d) of section 2 of the Senate amendment provides that the Federal share payable on account of any project the funds for which are provided out of the \$400 million authorized by this section shall be 70 percent and thus the State's share will be 30 percent. A provision for increasing the Federal share up to 95 percent of the total cost in States having more than 5 percent public lands and nontaxable Indian lands is also included in this subsection.

Subsection (d) of section 2 of the proposed conference substitute is the same as the Senate amendment, except that the Federal share shall not exceed 66⅔ percent.

(e) Authorization of appropriation for increasing Federal share: Subsection (e) of section 2 of the Senate amendment authorizes the appropriation of \$115 million, which may be used by the Secretary of Commerce to increase the Federal share payable on any projects the funds for which are provided in this section when the State requests such increase in the Federal share. The increase in the Federal share is limited to not to exceed two-thirds of the State's share of the cost of the project.

Subsection (e) of section 2 of the conference substitute is the same as the Senate amendment.

(f) Repayment of amounts used to increase Federal share: Subsection (f) of section 2 of the Senate amendment provides that if the Federal share is increased under subsection (e), the Federal Government shall be reimbursed by deducting the amount of the increase in 2 equal installments from the amounts to be made available to the State under the apportionments for ABC systems for the fiscal years ending June 30, 1961, and June 30, 1962.

Except for technical amendments, subsection (f) of section 2 of the proposed conference substitute is the same as the Senate amendment.

(g) Contract authority: Subsection (g) of section 2 of the Senate amendment provides that approval by the Secretary of Commerce of a project under this section shall be deemed a contractual obligation of the Federal Government for the payment of the increased Federal share and further provides that such funds shall be deemed to have been expended when so obligated. This language is a technical requirement made necessary because the funds being advanced are not to be distributed by apportionment.

Except for technical amendments, the proposed conference substitute is the same as the Senate amendment.



(h) Declaration of intent: Subsection (h) of section 2 of the Senate amendment declares it to be the intent of Congress that the \$400 million authorized by this section shall be in addition to and not in place of any other money authorized for the ABC systems and that the purpose of providing this \$400 million is to immediately accelerate construction of the ABC systems beyond that being accomplished with the funds now authorized.

Except for technical changes, the proposed conference substitute is the same as the Senate amendment.

### SECTION 3. FOREST HIGHWAYS AND FOREST DEVELOPMENT ROADS AND TRAILS

(a) Authorization of appropriation: Subsection (a) of section 3 of the Senate amendment authorizes appropriations for forest highways and for forest development roads and trails. It differs from the House bill in that it provides for the fiscal year ending June 30, 1959, an additional \$10 million for forest highways. The House bill does not provide such an authorization. The proposed conference substitute would authorize an additional \$5 million for forest highways for the fiscal year ending June 30, 1959. The Senate amendment provides \$36 million for such highways for each of the fiscal years ending June 30, 1960, and June 30, 1961. The equivalent provision in the House bill is an authorization of \$30 million for such highways for such fiscal years. The proposed conference substitute authorizes \$33 million for such highways for such fiscal years. The Senate amendment provides for the fiscal year ending June 30, 1959, an additional authorization of \$13 million for forest development roads and trails. The House bill does not provide such an authorization. The proposed conference substitute would authorize an additional \$5 million for the fiscal year ending June 30, 1959, for forest development roads and trails. The Senate amendment authorized \$34 million for such roads and trails for each of the fiscal years ending June 30, 1960, and June 30, 1961. In connection with the Senate amendment for forest development roads and trails, the Forest Service is requested to give due cognizance to the need to provide all-weather roads to recreational areas under Federal jurisdiction. The House bill provides \$28,500,000 for such roads and trails for such fiscal years. The proposed conference substitute provides \$30 million. The Senate amendment provides that with respect to any proposed construction or reconstruction of a timber-access road advisory public hearings may be held. The House bill with respect to such proposed timber-access roads provides that advisory hearings shall be held. The proposed conference substitute adopts the language of the Senate amendment.

Section 3 of the Senate amendment also provides that in apportioning the funds for forest highways authorized under this section for fiscal years ending June 30, 1959, 1960, and 1961, the same percentage shall be apportioned to each State, Alaska, and Puerto Rico as was apportioned from the funds authorized for forest highways for the fiscal year ending June 30, 1958. The House bill provides that the apportionment for forest highways for fiscal years ending June 1960, and June 30, 1961, shall be in accordance with the provisions of section 3 of the Federal-Aid Highway Act of 1950.

The proposed conference substitute, except for technical changes, is the same as the Senate amendment.

Subsection (a) of section 3 of the Senate amendment further provides that a State may transfer not to exceed the lesser of \$500,000 or 5 percent of the amount apportioned to it under the first section of this act (relating to apportionments for the ABC systems) to augment its apportionment for forest highways and when transferred such

sums may be expended as any other funds authorized for forest highway purposes.

The proposed conference substitute, except for technical changes, is the same as the Senate amendment.

(b) Forest highways: Subsection (b) of section 3 of the Senate amendment requires the Secretary of Commerce to make a study in cooperation with the appropriate officers of each State containing a national forest, the Commonwealth of Puerto Rico, and the Territory of Alaska, to determine forest roads of primary importance, including those within, adjoining, or adjacent to national forests, which have not been designated as forest highways, together with the amounts necessary for survey, construction, reconstruction, and maintenance for 10 fiscal years beginning with the fiscal year commencing July 1, 1961, and the method by which such amounts should be apportioned for expenditure and requires a report to be made to the President and Congress on or before January 1, 1960. The House bill contains no comparable provision.

The conference substitute is the same as the Senate amendment, except for certain technical amendments, the principal one being to include the Secretary of Agriculture in the group to cooperate with the Secretary of Commerce in making the study, recommendations, and report.

### SECTION 4. ROADS AND TRAILS IN NATIONAL PARKS, ETC.

(a) National parks, etc.: Subsection (a) of Section 3 of the House bill authorizes the appropriation of \$16,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961, for roads and trails in national parks. The Senate amendment provides an increase of \$4,000,000 over this amount thus authorizing \$20,000,000 for each such fiscal year for roads and trails in national parks.

The proposed conference substitute authorizes the appropriation of \$18,000,000 for the fiscal years ending June 30, 1960, and June 30, 1961, for roads and trails in national parks.

(c) Indian reservations and lands: Subsection (c) of section 3 of the House bill is the same as subsection (c) of section 4 of the Senate amendment, both relating to Indian reservation roads and bridges, with the exception that the House bill provides for the construction, improvement, and maintenance of roads and bridges on Indian reservations and lands and the Senate amendment provides for the construction, reconstruction and improvement of Indian reservation roads and bridges.

The proposed conference substitute is the same as the Senate amendment.

### SECTION 5. PUBLIC LANDS HIGHWAYS

Section 4 of the House bill relating to public lands highways authorizes the appropriation of \$2,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961. The Senate amendment provides an authorization of an additional \$2,000,000 for the fiscal year ending June 30, 1959, and the appropriation of \$4,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961.

The proposed conference substitute authorizes an additional \$1,000,000 for the fiscal year ending June 30, 1959, and authorizes the appropriation of \$3,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961.

### SECTION 7

The House bill contains no provision comparable to section 7 of the Senate amendment.

(a) Authorization of appropriations for Interstate System: Subsection (a) of section 7 of the Senate amendment amends section 108 (b) (relating to the authorization of appropriations for the National System of Interstate and Defense Highways) of the Federal-Aid Highway Act of 1956 to increase

the authorization presently contained in that section for the fiscal year ending June 30, 1959, by \$200 million and for the fiscal years ending June 30, 1960, and June 30, 1961, by an additional \$300 million for each such fiscal year. This would be a total increase in authorization for the Interstate System for these 3 fiscal years of \$800 million. The total authorization for fiscal year ending June 30, 1959, would thus be \$2.2 billion; for fiscal year ending June 30, 1960, \$2.5 billion; and for fiscal year ending June 30, 1961, \$2.5 billion.

The proposed conference substitute is the same as the Senate amendment.

(b) Apportionments: Subsection (b) of section 7 of the Senate amendment provides that the additional \$200 million authorized for the fiscal year ending June 30, 1959, for the Interstate System shall be apportioned immediately upon enactment of this act.

The proposed conference substitute is the same as the Senate amendment, except for technical amendments.

### SECTION 8. APPROVAL OF ESTIMATE OF COST OF COMPLETING THE INTERSTATE SYSTEM

The House bill contains no provision comparable to section 8 of the Senate amendment.

Section 8 of the Senate amendment approves as the basis for making the apportionment of funds authorized for the Interstate System for the fiscal year ending June 30, 1960, the estimate of cost for completing such Interstate System which was transmitted to Congress January 7, 1958, by the Secretary of Commerce in accordance with section 108 (d) of the Federal-Aid Highway Act of 1956.

The proposed conference substitute is the same as the Senate amendment.

### SECTION 9. APPORTIONMENT OF FEDERAL-AID HIGHWAY FUNDS FOR FISCAL YEARS 1959 AND 1960

The House bill contains no provision comparable to section 9 of the Senate amendment.

Section 9 of the Senate amendment has the effect of suspending for the fiscal years 1959 and 1960, the operation of section 209 (g) of the Highway Revenue Act of 1956, which requires the adjustment of apportionments whenever amounts in the Highway Trust Fund are not sufficient to defray expenditures required to be made from that fund. It further requires the Secretary of Commerce to apportion among the several States all of the funds authorized for the fiscal years 1959 and 1960 for the Interstate System and the ABC Systems.

The proposed conference substitute is the same as the Senate amendment.

### SECTION 10. PAYMENTS FOR STOCKPILED MATERIALS

The House bill contains no provision comparable to section 10 of the Senate amendment.

Section 10 of the Senate amendment amends section 13 of the Federal Highway Act approved November 9, 1921, to provide that progress payments made in connection with construction or reconstruction projects may include the United States pro rata share of the value of materials stockpiled in the vicinity of such construction or reconstruction in conformity with the approved plans and specifications for incorporation in such projects.

Except for technical amendments, the conference substitute is the same as section 10 of the Senate amendment.

### SECTION 11

The House bill contains no provision comparable to section 11 of the Senate amendment.

Subsection (a) of section 11 of the Senate amendment amends section 111 (a) of the Federal-Aid Highway Act of 1956 by adding a proviso at the end thereof which



would require that reimbursement for the cost of relocation of utility facilities necessitated by construction of a Federal-aid highway project be made only after evidence has been presented to the Secretary of Commerce that the State paid such cost from its own funds and the Secretary is satisfied of that fact by that evidence. Except for this this new proviso, this section continues in effect the present law as set forth in the Federal-Aid Highway Act of 1956 insofar as Federal funds are used for reimbursement to the various States for their payment of the cost of utility relocation.

Subsection (b) of section 11 of the Senate amendment makes the proviso added to section 111 (a) of the Federal-Aid Highway Act of 1956 applicable only with respect to those Federal-aid highway projects for which funds are obligated for work, including relocation of utility facilities, after the date of enactment of this act.

The proposed conference substitute is the same as the Senate amendment, except that certain technical amendments were made, and the provisions of subsection (b) of section 11 of the Senate amendment are made a part of a new proviso added to section 111 (a) of the Federal-Aid Highway Act of 1956.

#### SECTION 12

The House bill contains no provision comparable to section 12 of the Senate amendment.

Section 12 of the Senate amendment would renumber existing section 122 of the Federal-Aid Highway Act of 1956 as section 123 and would insert after the existing section 121 of such act of 1956 a new section 122.

Subsection (a) of this new section 122 states as a new national policy that it is in the public interest to encourage and assist the States to control the use of and improve the areas adjacent to the Interstate System by controlling outdoor advertising in those areas. It specifies as national policy that outdoor advertising along Interstate System highways which is visible from the main portion of the highway and within a distance of 660 feet should be regulated consistent with standards to be prepared and promulgated by the Secretary of Commerce, which shall include only the following four types of signs: (1) Directional or other official signs and notices required or authorized by law; (2) signs advertising the sale or lease of property upon which they are located; (3) signs permitted by State law advertising activities within 12 miles of the point at which the signs are located which signs are consistent with the national policy and standards; and (4) signs designed to give information in the specific interest of the traveling public which are erected pursuant to State law and which are consistent with the national policy and standards. It is the intent of this subsection to eliminate all signs advertising illegal activities. The application of subsection (a) is restricted to rights-of-way on the Interstate System the entire width of which is acquired subsequent to July 1, 1956.

Subsection (b) of such new section 122 authorizes the Secretary of Commerce to enter into agreements with State highway departments to carry out the policy set forth in subsection (a) of this section with respect to the Interstate System. Any such agreement would include provisions for regulation and control of the erection and maintenance of advertising signs, displays, and other advertising devices in conformity with the standards established under subsection (a). It further provides that upon the application of any State any such agreement may, in the discretion of the Secretary of Commerce, exclude from the application of the national standards set forth in subsection (a) of this new section 122, those

portions of the Interstate System which pass through municipalities wherein the use of real property adjacent to the Interstate System is subject to municipal regulation and control, or which traverse areas where the land use is clearly established by State law as industrial or commercial. Subsection (b) further provides that any section of the Interstate System so excluded from the application of the standards provided under authority of subsection (a) shall not be considered in computing the increase of the Federal share payable because of the control of advertising on the Interstate System.

Subsection (c) of such new section 122 provides that if an agreement to control advertising is entered into between the Secretary of Commerce and any State pursuant to this section before July 1, 1961, the Federal share payable on account of any project on the Interstate System within that State provided for by funds authorized under section 108 of the Federal-Aid Highway Act of 1956 to which this new national policy shall apply shall be increased by one-half of one percent of the total cost thereof. This in effect would increase the Federal share for payment on the Interstate System to ninety and one-half percent. This subsection further provides that the increased one-half percent shall be paid out of any money in the Treasury not otherwise appropriated, and such appropriations are authorized by the subsection.

Subsection (d) of such new section 122 authorizes the Secretary of Commerce to enter into an agreement with any agency having jurisdiction over lands and reservations of the United States which are public in nature and adjacent to the Interstate System to carry out the policy set forth in subsection (a) of this section. It further authorizes and directs any such agency to fully cooperate with the Secretary of Commerce.

Subsection (e) provides that whenever a State shall acquire by purchase or condemnation the right to advertise or regulate advertising in an area adjacent to the right-of-way on a project of the Interstate System for the purpose of carrying out the policy set forth in this new section 122 the cost of such acquisition shall be considered as a part of the construction cost of the project with the limitation that Federal funds not in excess of 5 percent of the cost of the right-of-way for such project may be used to reimburse the State for the acquisition of such adjacent area.

The proposed conference substitute is the same as the Senate amendment.

#### SECTION 13. PUBLIC HEARINGS

There is no provision in the House bill comparable to section 13 of the Senate amendment.

Section 13 of the Senate amendment amends section 116 (c) of the Federal-Aid Highway Act of 1956 by inserting language which provides that whenever a State highway department submits plans for an Interstate System project in a rural area it shall certify to the Commissioner of Public Roads that it has held a public hearing within that rural area at a convenient location or afforded an opportunity for such hearing for the purpose of hearing testimony from interested persons within the rural area through or by whose property the Interstate System project will pass.

Except for technical amendments, the proposed conference substitute is the same as the Senate amendment.

Under the conference agreement the title of the bill is "An act to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, and the act approved June 29, 1956 (70 Stat. 374), to authorize

appropriations for continuing the construction of highways; and for other purposes."

GEORGE H. FALLON,  
JOHN A. BLATNIK,  
CLIFFORD DAVIS,  
J. HARRY MCGREGOR,  
MYRON V. GEORGE,

Managers on the Part of the House.

#### ADDITIONAL COPIES OF THE GENERAL REVENUE REVISION HEARINGS ENTITLED "GENERAL REVENUE REVISION OF 1958"

Mr. HAYS of Ohio. Mr. Speaker, I call up House Concurrent Resolution 305 and ask for its immediate consideration.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Ways and Means, House of Representatives, 4,000 additional copies of the general revenue revision hearings entitled "General Revenue Revision of 1958."*

Mr. LECOMPTE. Mr. Speaker, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from Iowa.

Mr. LECOMPTE. May I ask the gentleman from Ohio if he will state to the House the purpose of the resolution, which is a privileged resolution, I presume?

Mr. HAYS of Ohio. Yes. This resolution will enable, at the time the usual number of copies are printed, the printing of additional copies of the hearings before the Committee on Ways and Means of the General Revenue Revision of 1958. There is a great demand for these and if we pass this resolution now they will all be printed at once, which will result in considerable saving.

Mr. LECOMPTE. It is actually an economical measure to have it printed now?

Mr. HAYS of Ohio. Yes.

The SPEAKER. The question is on the House concurrent resolution.

The House concurrent resolution was agreed to and a motion to reconsider was laid on the table.

#### LEGISLATIVE PROGRAM FOR BALANCE OF WEEK

(Mr. ARENDS asked and was given permission to address the House for 1 minute.)

Mr. ARENDS. Mr. Speaker, may I ask the gentleman from Oklahoma if he can inform us now as to the program for the balance of the week?

Mr. ALBERT. The program for tomorrow will be consideration of the conference report on the highway bill.

#### HOOR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, pursuant to conversation had with the gentleman from Illinois [Mr. ARENDS] earlier today, I ask unanimous consent that when the House adjourns today it adjourns to meet at 10 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.



# Disposal of Waste

Waste disposal is a critical component of environmental management. It involves the safe and efficient handling of waste materials from their generation to their final disposal. This process is essential for protecting public health, the environment, and the economy.

The waste management hierarchy is a key concept in waste disposal. It consists of the following steps:

1. Prevention: Reducing the amount of waste generated in the first place.
2. Reuse: Finding ways to reuse materials instead of discarding them.
3. Recycling: Processing waste materials into new products.
4. Recovery: Extracting energy or other resources from waste.
5. Disposal: Safely disposing of waste that cannot be recycled or recovered.

Each step plays a vital role in minimizing the environmental impact of waste. By following the waste management hierarchy, we can ensure that waste is handled in a responsible and sustainable manner.





# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued April 4, 1958  
For actions of April 3, 1958  
85th-2d, No. 55

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**HIGHLIGHTS:** Both Houses agreed to conference report on road authorization bill. Rep. Whitten criticized Secretary's farm policies. Rep. Reuss criticized withholding of farm population estimates report.

## HOUSE

1. **ROADS.** Agreed, 300 to 28, to the conference report on H. R. 9821, the road authorization bill, after rejecting, 109 to 222, a motion by Rep. McGregor to recommit the report to the conference committee (pp. 5589-5605, 5607-08). For items of interest to this Department, see Digest 54.

The Senate also agreed to the conference report (pp. 5543-9). This bill will now be sent to the President.

2. **FARM PROGRAM.** Rep. Whitten criticized the Secretary's farm policies, stated that "his programs for American agriculture are not working," and called for a change in the position of Secretary of Agriculture. p. 5607

Rep. Reuss criticized the Department for withholding a recent farm population estimates report, and inserted what he contended was a portion of the report containing "a selection of comments made by a cross-section of America's farmers in response to a recent Department of Agriculture questionnaire." pp. 5613-16

3. FORESTRY. Rep. Porter urged the enactment of legislation to authorize the exchange of land or timber within the Siskiyou National Forest, Ore., for lands adjacent to the forest as a means "to help preserve the natural beauty of the Rogue Valley in the area." p. 5586
4. CHICORY IMPORTS. Concurred in the Senate amendments to H. R. 5005, to suspend for 2 years the duty on crude chicory, except endive, and to provide for a new rate of 2 cents per pound on ground or prepared chicory for the temporary 2-year period. (pp. 5587-88) This bill will now be sent to the President.
5. ECONOMIC CONDITIONS. Rep. Bonner called for Government programs to "restore public buying power," including "farmers' buying power." p. 5606
6. TRANSPORTATION TAXES. Received a R. I. Assembly memorial urging repeal of Federal excise taxes on the transportation of persons and property. p. 5621
7. ADJOURNED until Mon., Apr. 14. p. 5620

#### SENATE

8. LIFE INSURANCE. Concurred in the House amendments to S. 1740, to authorize payments from the employees' life insurance fund for expenses occurred in assuming the assets and liabilities of certain beneficial associations. This bill will now be sent to the President. p. 5533
9. FORESTRY. Sen. Kauberger urged that Klamath Indian forest lands be acquired and administered by the Forest Service, and inserted two articles on the Klamath Indian Forest problem. pp. 5537-40  
Sen. Humphrey inserted a statement by the National Parks Ass'n criticizing the Chamber of Commerce analysis of S. 1176, the wilderness preservation bill. pp. 5540-1  
Passed as reported S. 1748, to add certain lands located in Idaho and Wyo. to the Caribou and Targhee National Forests. p. 5550
10. LIVESTOCK. Sen. Proxmire stated that "the depression in the dairy industry created by Secretary Benson's sharp cut in supports is already starting to spread into the livestock industry," and urged Congress to override the President's veto of S. J. Res. 162, the price-support freeze measure. pp. 5552-3
11. COUNTRY LIFE. Sens. Thye and Stennis were added as cosponsors of S. 3596, to establish a Commission on Country Life. p. 5528
12. FARM CREDIT ADMINISTRATION. Received the nominations of Marvin J. Briggs and Frank Stubbs to be members of the Federal Farm Credit Board, FCA. p. 5585
13. FLOOD CONTROL. Sen. Yarborough urged the President not to veto S. 497, the rivers and harbors and flood control bill. p. 5533
14. ECONOMIC SITUATION. Sens. Douglas and Morse discussed the level of unemployment, the possibility of tax reduction, and the value of public works in raising the economy. pp. 5535-7
15. TEXTILES. Sen. Johnston stated that the cotton industry cannot compete with foreign producers and criticized the Tariff Commission and this Department for failing to grant relief to the cotton textile industry through import restrictions. pp. 5569-70



ation is to be avoided, investment in our schools, colleges, and universities must take precedence over existing expenditures which are of less importance to our national security.

7. The total economic resources available for higher education, whatever they may be, will necessarily exist in limited amounts. One demand upon those resources is to raise the general level of performance in all schools and colleges. If this is allowed to be the only call, however, a tragic mistake will be made. A second, and vital, call upon our economic resources is to strengthen our leadership in all important fields and to add to our best existing institutions the appreciable support needed to meet the demands for the highest order of quality. Statesmanship must see to it that adequate support for the attainment of both goals is provided.

8. A genius of American education has been its unity through diversity. This diversity should be preserved, with strengthening all along the line and greater stress on the importance of quality everywhere. In short, all our human resources must be vastly strengthened through the medium of improved education.

#### PROPOSITIONS THAT NEED PUBLIC SUPPORT

1. The magnitude of the job to be done can hardly be exaggerated. We are not spending nearly enough on education. Modest measures will not do the job. In colleges and universities alone, the number of qualified students will be doubled by 1970, and a doubling of expenditures will not even perpetuate present inadequate quality levels. To do the job effectively, the following order of priorities should be observed:

Salaries for teachers, scholars, and scientists should on the average be at least doubled;

Existing institutions should be maintained more adequately and some of them greatly strengthened;

Support for the establishment of new institutions will be necessary, but should not be supplied at the expense of existing institutions;

Scholarship programs should stress quality rather than quantity, graduate as well as undergraduate study, and should be accompanied by a parallel system of grants to the institutions in which scholarship holders enroll.

2. Although Federal support for educational activities already exists in many forms, excessive reliance upon it may weaken other sources of initiative. However this may be, we are in a national emergency, and prompt action of unprecedented magnitude is urgent. The truth seems to be that the Federal Government is the only agency which can act with sufficient speed and on a scale large enough to enable schools, colleges, and universities to accomplish their tasks. Action by the Federal Government need not, and should not, extend Federal controls over education. Further, as a partial attack on a problem of such great size, it need not weaken initiative and action at the State, local, and voluntary levels. Federal support should be considered only as a necessary supplement to action by State and local entities, corporations, alumni, parents, churches, foundations, and philanthropic individuals. The initiative and interest of these agencies and individuals are the greatest asset of American education; they must now be exercised to an extent never before demonstrated.

3. Greatly increased amounts of money must be allocated to fundamental research and other forms of creative and scholarly activity. These can be carried on more effectively in our colleges and universities than anywhere else, because in the academic environment the creativity of central figures

is reproduced by students who have worked with them.

4. If American education is to continue to serve the best interests of the Nation, drastic measures to increase the supply of highly trained persons are required in many areas other than physical science and engineering. The need for teachers at all levels and in all fields is a compelling illustration. Continued progress in the humanities, the arts, and the social sciences, as well as in science and technology, is highly essential to our national survival and well-being.

5. Totalitarian methods are not necessary to counter the threats of a totalitarian power. These threats can be countered and overcome by our own American strengths, strengths which in education include academic freedom for teachers, scholars, and scientists; freedom of mobility and choice of programs of study and vocations by college students; diversity of programs, forms of control, and philosophies among institutions. These qualities of American education must receive continuous, vigilant support.

The actions called for cannot be postponed. The priorities must be established immediately. Should we fail to do these things, the deferred costs will be too staggering to be met in time. If the Nation is to survive and prosper, we must start making the basic provisions now.

#### PROBLEMS AND POLICIES COMMITTEE, FEBRUARY 1, 1958

William S. Carlson, president (on leave), State University of New York.

Harry D. Gideonse, president, Brooklyn College.

Margaret L. Habein, dean, College of Arts and Sciences, University of Wichita.

Clark Kerr, chancellor, University of California (Berkeley).

Douglas M. Knight, president, Lawrence College.

J. W. Maucker, president, Iowa State Teachers College.

Joseph C. McLain, principal, Mamaroneck (New York) Senior High School.

Leland L. Medsker, consultant, research project in higher education, University of California (Berkeley).

Nathan M. Pusey, president, Harvard University.

Robert J. Slavin, O. P., president, Providence College.

Logan Wilson, president, University of Texas.

#### MEMBERS EX OFFICIO

Lawrence A. Kimpton, chancellor, University of Chicago; chairman of the council.

Arthur S. Adams, president of the council.

#### ORDER OF BUSINESS

Mr. MORSE. Mr. President, has morning business been concluded?

The PRESIDING OFFICER. Morning business is still in order.

Mr. MORSE. Mr. President, I should like to ask the acting majority leader whether, following the conference report on the highway bill, he plans to have the Senate proceed to the consideration of an Oregon bill which I am sure is not controversial.

Mr. MANSFIELD. Yes, it is the intention to bring up that bill immediately following the disposition of the conference report on the highway bill.

Mr. MORSE. Mr. President, if the acting majority leader will do me the courtesy of suggesting the absence of a quorum following the conclusion of consideration of the conference report on the highway bill, I shall appreciate it.

Mr. MANSFIELD. Yes, indeed.

#### FEDERAL-AID HIGHWAY ACT OF 1958—CONFERENCE REPORT

Mr. CHAVEZ. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9821) to amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read, for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of April 2, 1958, pp. 5483-5486, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAVEZ. Mr. President, the conferees met on the bill on Tuesday of this week, and after careful consideration reached a satisfactory agreement. The bill passed the House on March 13, 1958, and passed the Senate on March 27, 1958.

The conferees accepted the House figures of \$900 million for the fiscal year 1960 and \$925 million for fiscal year 1961 for regular Federal-aid highway systems, primary, secondary, and urban systems, the so-called ABC roads. These funds would be apportioned to the States in accordance with existing law, and matched on a 50-50 basis, as at present.

The conferees accepted the Senate provisions for an additional authorization of \$400 million for fiscal year 1959 for the ABC roads. These funds would be matched on a two-thirds to one-third basis, and the bill includes 115 million for advances to States to assist them in matching the Federal funds up to two-thirds of the States share, these funds advanced to be repaid by deductions from the State's apportionment for fiscal 1961 and 1962.

Additional amounts were authorized for fiscal year 1959 for roads on Federal lands, reservations, and the public domain; \$5 million for forest highways, \$5 million for forest development roads and trails, and \$1 million for public lands highways.

Regular biennial appropriations for these Federal roads for fiscal years 1960 and 1961, as approved by the conferees, are:

	Millions
Forest highways.....	\$33
Forest development roads and trails.....	30
National park roads.....	18
Parkways.....	16
Indian reservation roads.....	12
Public lands highways.....	3



The conferees accepted the Senate amounts of increased authorizations for the Interstate System. These increases are \$200 million for fiscal year 1959, \$300 million for fiscal year 1960, and a like amount for fiscal year 1961. The authorization for fiscal year 1959 would be apportioned to the States immediately upon enactment of this act, in accordance with existing law.

The apportionment for fiscal year 1960 would be made on the basis of the estimates of cost for completing the Interstate System, and the apportionments of all authorized Federal-aid funds for fiscal years 1959 and 1960 would be made notwithstanding the provisions of section 209 (g) of the Highway Revenue Act of 1956. That is the one referred to as the Byrd amendment.

The conferees accepted the Senate language of the bill relative to stockpiling of material, reimbursement to States for relocation of utility facilities, regulation of outdoor advertising, and holding public hearings on the location of the Interstate System in rural areas; in other words, country roads.

The authorization of funds included in the bill is as follows, and I ask Senators to follow carefully the table I am about to read into the RECORD, because I think it is important to all States:

*Federal-aid highways*  
(Millions of dollars)

System	Fiscal years			
	1959	1960	1961	Total
<b>REGULAR</b>				
Primary.....	180	405	416.25	1,001.25
Secondary.....	120	270	277.50	667.50
Urban.....	100	225	231.25	556.25
Subtotal.....	400	900	925.00	2,225.00
Advances.....	115			115
Interstate.....	200	300	300	800
Subtotal.....	715	1,200	1,225	3,140
Forest highways.....	5	33	33	71
Forest development roads and trails.....	5	30	30	65
Park roads and trails.....		18	18	36
Parkways.....		16	16	32
Indian roads.....		12	12	24
Public-land highways.....	1	3	3	7
Subtotal (miscellaneous roads).....	11	112	112	235
Total.....	726	1,312	1,337	3,375

Mr. President, I move the adoption of the conference report.

Mr. GORE. Mr. President, the first purpose of the bill, the conference report, which we are considering, is to build roads.

Passage of the proposed legislation will serve an additional purpose, much needed now, namely, the stimulation of employment.

Mr. President, considering the provisions of the conference report and the 1956 act together, we see the erection of three new landmarks of national progress. For the first time we are to have a National System of Interstate and Defense Highways, with a uniform limitation of access. The provisions in this respect are, I believe, realistic and politically feasible and effective. Once the geometric design of a highway is laid

out, once the project is submitted by the State and approved by the Secretary of Commerce, no additional access points or egress points for the highway can be constructed or permitted by the State except upon approval by the Secretary of Commerce. This will not prevent needed additional access points, but will safeguard the system by the requirement of national as well as local consideration and approval.

The second landmark of national progress is represented in the accomplishment, for the first time again, of uniform national maximum standards for the width, length and weight of vehicles which can use the National System of Interstate Highways. These standards will be beneficial, in the long run, for the trucking industry and bus transportation systems. This will promote standardization of equipment sizes. More important, these standardized maximum limitations will enable the States to build highways to standards sufficient to enable them to accommodate traffic of known dimensions and weights, thereby preserving and protecting the investment of the people in the highways and promoting safety of traffic.

In the bill the conference report on which is presently under consideration, we find a third landmark of national progress. For the first time there will be provision in law for the promulgation of national standards affecting advertising in the areas adjacent to the right-of-way of the 41,000-mile Interstate System.

I hope I may be excused, Mr. President, for expressing what I hope is pardonable pride in the accomplishment of these landmarks along with the substantive and stupendous highway program. The highway program itself is, of course, the more important, but these new landmarks of progress are important, also for the safety of traffic, the preservation of the highways and scenic beauty.

There has been some misunderstanding with regard to the provisions of the conference report relating to the promulgation of standards and uniform regulation of billboard advertising in areas adjacent to the right of way. I have read editorials, for instance, which have contained statements that the proposed legislation excepts approximately 35 percent of the highways from application of the provision. That is not true. The amendment offered by the distinguished junior Senator from New Hampshire [Mr. CORTON] applies only to the portion of the proposal under consideration by which States will be given one-half of 1 percent of the cost of the projects in the event they regulate outdoor advertising in accordance with the prescribed standards. The amendment does not apply to the other provisions, whereby States will be reimbursed for 90 percent of the cost of the purchase of advertising easements, to the extent of 5 percent of the cost of the right of way. In other words, under the provisions of the bill any State can comply with the standards to be promulgated by the Secretary of Commerce

on 100 percent of the mileage on the Interstate System within its borders.

In some instances perhaps it will be true that a small cost will be borne by the States—at least 10 percent of the cost of acquisition of advertising easement, plus that portion of the cost of the advertising easements which exceeds 5 percent of the cost of the right-of-way on those portions which are excluded from the one-half percent incentive provision by the so-called Cotton amendment.

I opposed the amendment offered by the junior Senator from New Hampshire. However, it does not render the provision inoperative on any portion of the interstate system provided the State purchases the easement. It will create administrative problems. The entire provision creates administrative problems. It places upon the Secretary of Commerce a great responsibility, and vests in him wide powers of discretion. I hope and believe that the Secretary of Commerce will promulgate realistic and reasonable standards. Only if the standards are realistic and reasonable and promise effectiveness, are we likely to see a large number of States complying. But if they are realistic, reasonable, and promise effectiveness, it is my hope and expectation that many States will conform to the standards and reap for themselves, and render to America, great benefits.

The preservation of safety, the preservation of scenic beauty and of sites of historic value for generations yet unborn, and perhaps for motorists not only from our own country, but from foreign lands for years to come, will result in expressions of appreciation in years to come to the Congress of the United States for the enactment of this provision.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CHAVEZ. I wish to interrupt the Senator from Tennessee to tell him that I am very proud of the Senate conferees. Three of the five conferees were against this particular provision, but after the Senate took action and adopted the provision, those three fought just as hard to keep it in the bill as those who proposed the amendment.

Mr. GORE. Mr. President, I wish to emphasize what the distinguished senior Senator from New Mexico, the chairman of the Senate Public Works Committee, has said. I believe that the conduct of the senior Senator from New Mexico [Mr. CHAVEZ], the senior Senator from Oklahoma [Mr. KERR], and the senior Senator from Pennsylvania [Mr. MARTIN], as conferees representing the United States Senate, was exemplary. Although, as the Senator from New Mexico has said, three of the conferees voted against this provision in the Senate, they, nevertheless, went to the conference representing the Senate. Not even the authors of the amendment themselves could have stood more firmly or more effectively for this provision and for the position of the Senate than did these Senators. I am very happy to



see such exemplary conduct on the part of agents of the Senate. I congratulate the Senate conferees.

The provisions of the highway bill are far reaching and of great proportions. The larger provisions of the bill were supported unanimously. I am grateful for the cooperation of the chairman of the Senate Public Works Committee [Mr. CHAVEZ], the ranking majority member of the committee [Mr. KERR], the ranking minority member of the subcommittee [Mr. CASE], and to all members of the committee. Committee work on this bill has been a pleasure, though long hours were required, our labors have borne good fruit.

Mr. CASE of South Dakota. Mr. President, with respect to the conference report on the highway bill, I wish to second what has been said by the chairman of the committee, the Senator from New Mexico [Mr. CHAVEZ], and the Senator from Tennessee [Mr. GORE], chairman of the subcommittee which considers highway legislation for the Senate Public Works Committee.

It is a landmark bill. It is a bill which will be referred to in years to come, not only because of the inclusion of a special ABC fund to provide some immediate jobs in the current situation, but also because of the inclusion of the so-called billboard section, and some modification of the statutes in other respects.

One of the modifications of the bill from the form in which it passed the Senate was of special interest to me. Senators may recall that during the consideration of the bill I had raised a question about establishing a ratio of 70-30 percent for matching in connection with the emergency fund of \$400 million for the primary, secondary, and urban roads.

We debated that question at considerable length. I thought that proposal went a little too far toward the liberal side, even in the present situation. The conferees on the part of the House felt somewhat the same way. They wanted to maintain the customary 50-50 ratio.

However, finally, as conferees usually do, we arrived at a compromise. The final decision was that this emergency fund should be available on the basis of a ratio of 66⅔ to 33⅓ percent—in other words, 2 for 1, rather than the 70-30 ratio proposed by the bill as it passed the Senate, or the 50-50 ratio, which is the customary provision with respect to ABC roads.

This is clear from the debate. This provision applies only to the \$400 million of special money for the ABC roads. The repayment of any advances is automatic, by the language of the bill as agreed to by the conferees, so that any advances made to States in the nature of loans or advances on their shares must be deducted from the apportionment made to the States in the 2 years for which this bill supplies the normal biennial highway apportionment.

The second point to which I wish to make reference, because it relates to the point on which there was debate in the Senate, has to do with the so-called utility provision. Senators will recall that I defended the action of the committee. As the bill was originally re-

ported to the Senate, it would have rewritten the utility reimbursement provisions of the law and, in the first instance, would have placed a ceiling of 70 percent on the pro rata share which the Federal Government might pay to the States in reimbursement of costs which they had paid in connection with the relocations made necessary by highway construction.

The other, or second, feature of the language reported by the Senate committee provided that clear proof must be submitted to the Secretary of Commerce that the States actually had paid the bill that was being presented for the utility relocation and had paid it out of their own funds.

Reports were reaching the committee that in some instances utilities were suggesting to State highway commissions that if they could collect the share which Uncle Sam would pay, particularly on the interstate 90-percent cost, they would be willing to forget the other part of it, or that it might be provided in some devious way. In any event, the Senate, when it considered that matter, affirmed the proviso. We did that by the adoption of the Hruska amendment. I call attention to that because the distinguished Senator from Wisconsin [Mr. WILEY], who voted against the Hruska amendment, as I did, and as other Senators did, so voted because the money which was left was the 90-percent ceiling or the 70-percent ceiling. Those who voted against the Hruska amendment must be considered as having voted to establish a 70-percent ceiling rather than a 90-percent ceiling on the share of the utility costs which might be reimbursed by the Federal Government to the States.

On the ABC roads that question does not arise, because there the States will not be paid more than 50 percent of the cost by the Federal Government, except where some public land is involved.

I feel that the action of several State legislatures during the past 2 years was sufficient warning that the clause in the 1956 act was being abused, and that they, consequently, felt we should at least place a limit on the 70-percent share which may be paid by the Federal Government. I also felt that there should be certification that the bill paid by the State had actually been paid out of its funds.

But the Senator from Nebraska [Mr. HRUSKA] accepted the proviso before his amendment went to a final vote. Therefore that point was no longer in issue. That would have been in the bill whether the Hruska amendment had been adopted or not, because the Hruska amendment was primarily a motion to strike out certain language in the bill as reported. The bill as reported carried that proviso. Therefore the proviso requiring the certification by the State, that is, of the payment of the utility relocation costs on a pro rata basis out of its own funds, would have been in the final act in any event. Therefore that point was not at issue, and the votes against the amendment must be interpreted as votes for holding to the 70-percent ceiling, rather than permitting the 90-percent ceiling. I make that statement because the Senator from Wisconsin told me

yesterday he was finding some misunderstanding on that point.

The agreement by the conferees on the 66⅔ percent and 33⅓ percent State proportion was a movement in the direction of the amendment which I had the privilege of offering on the floor of the Senate. The conferees also accepted the proviso on the utility reimbursement. The chairman of the conferees on the part of the House of Representatives said he thought it was a good amendment.

I stress these two points because I believe they indicate a movement in the direction of the position which had great support on the floor of the Senate, and to my mind the changes improve the bill.

With respect to the interstate roads or the System of Interstate and Defense Highways, the distinguished Senator from Tennessee [Mr. GORE] has already well said that the provisions in the bill will be regarded as a landmark, not only for that portion of the bill, but also with respect to the section relating to billboards.

With regard to the Interstate System itself, the agreement by the House to the provision increasing the apportionments for 3 years on the Interstate System confirmed the judgment of the Senate and the Senate Committee on Public Works that some increase in the apportionments was needed in order to keep the System of Interstate Highways on a 13-year apportionment basis, or 16 years of possible construction, as was provided in the original act. The apportionments are increased, and while they do not come up to the amount which might be considered necessary to maintain the construction schedule, if one looks at the new estimates of cost submitted by the States in 1956, it is my judgment, and I believe also the judgment of the conferees, that they go sufficiently in that direction to insure the maintenance of the construction schedule. It may be that further acceleration will be needed. However, we found that on the evidence submitted during the hearings we were not warranted in going to the full estimate of costs reported by the States. The Governor of New York had testified that the bids received by his State were running below engineer estimates by from 20 to 25 percent.

Within the past week I have received the daily newspapers from my own State, and I have noted that the Highway Commission of South Dakota has been letting bids—in fact, several million dollars' worth of contracts were let on one day—which run 21 percent under the estimates of costs made by the engineers. Obviously, in the light of the experience in the Northwest, and in the great State of New York, with bids actually running under the estimates of costs, we would not have been justified in stepping up the apportionments to the full figures which would have been suggested by the estimates of costs submitted in 1956.

With regard to the billboard section, I merely wish to mention 1 or 2 points very briefly. The distinguished Senator from Oregon [Mr. NEUBERGER] and



the distinguished Senator from California [Mr. KUCHEL] are entitled to the major share of whatever credit this generation or future generations may wish to give for the vigorous fight and the initiative in establishing a way whereby the Federal Government might cooperate with the States, if they desire to do so, to regulate billboards along interstate highways. The distinguished chairman of the subcommittee, the Senator from Tennessee [Mr. GORE], ably seconded their efforts. However, I believe he will agree with me that the Senator from Oregon and the Senator from California are the ones who put their name on the bill in the first instance, and really took the brunt of that fight.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. GORE. First I wish to thank my able friend and colleague, the distinguished Senator from South Dakota, for his very generous references to me. I agree fully that the coauthors of the amendment, the distinguished junior Senator from Oregon [Mr. NEUBERGER] and the distinguished junior Senator from California [Mr. KUCHEL], ably presented the amendment and supported it diligently and effectively. I commend them and congratulate them. I wish also to commend and congratulate the distinguished junior Senator from South Dakota [Mr. CASE] upon the effectiveness of his support and leadership. The provision does not prohibit billboards or advertising; it will, with the cooperation of the States, bring about reasonable regulation of billboards in areas adjacent to the highways, to the end that such regulation will promote safety and the preservation of scenic beauty and sites of historic interest. I believe that to be in the national interest, and I congratulate the Senator from South Dakota and the coauthors of the amendment.

Mr. CASE of South Dakota. I appreciate the remarks of the Senator from Tennessee. I think I should say, frankly, honestly, and candidly, that the junior Senator from South Dakota did not seek any credit in connection with the billboard provision. My position on that subject was dictated by certain objective responsibilities which I felt I had in my position as the ranking member for the minority.

I cannot say that there was any great outpouring of sentiment in my State to support the billboard provision; to the contrary. I live in a section where the tourist industry is most important. Many of our people were inclined to misunderstand any position which savored of support for the so-called billboard provision.

But a person has many responsibilities when he serves in this body, and they are not entirely dictated by the desire to be on good terms with and to please, even in some instances, some of his friends. He has some responsibilities which come from serving as a Senator in the Senate of the United States.

Moreover, I had heard the President of the United States say that, inasmuch as in the case of highways the Federal Government was to pay 90 percent of the

cost, he hoped something would be done to preserve scenic beauty and to increase safety, so as to make the interstate highways truly serviceable for the great objectives of a national system of defense and intercommunication.

I had heard both the Secretary of Commerce, the administration's spokesman, and the Administrator of the Bureau of Public Roads, take the position that they felt Congress would be remiss if it did not make it possible for the Federal Government to cooperate with the States which wanted to take some action in this regard.

As the Senator from Tennessee has stated, this section of the bill does not prohibit billboards. I pointed out during the hearings that I thought the Federal Government did not have the police power to prohibit billboards. But I think the States which want to do something about this matter are entitled to the cooperation and the encouragement of the Federal Government. It was on that basis that I voted, when the responsibility was mine, to preserve an opportunity for such cooperation. On that basis, I was glad to cast my vote under whatever responsibilities were involved.

With respect to the operation of the section, there are 2 or 3 things I wish to point out. First, with respect to the so-called Cotton amendment, to which the Senator from Tennessee has alluded, the amendment to except the rights-of-way which were acquired prior to July 1, 1956, from eligibility for the incentive fund, was one that I supported. I supported it, not as a means of weakening section 2, but because I thought there was a certain amount of equity involved.

As to rights-of-way acquired years ago, or prior to the consideration of the billboard section, the people who established advertising rights, or purchased them, did so in good faith. It seems to me that it smacked a little bit of ex post facto legislation, or retroactive legislation for Congress to establish an incentive by the Federal Government, and to let a State do anything which might involve the confiscation of those rights; that is, the States might proceed under their police power. However, the Cotton amendment did not interfere with the application of the second part of the cooperation, namely, the sharing of the cost of acquiring rights.

As to the rights-of-way which were acquired prior to July 1, 1956, if a State wishes to acquire or purchase the advertising rights, the Federal Government, under the language agreed to in the conference report, still will act in cooperation with the States.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. GORE. By reimbursing 90 percent of the cost of such acquisition, provided it does not exceed 5 percent of the cost of the right-of-way.

Mr. CASE of South Dakota. That is correct. It seemed to me that was a sound and equitable provision. The Federal Government does not then put itself in the position of encouraging the States to confiscate advertising on rights-

of-way acquired prior to July 1, 1956. The Federal Government can say to the States, with respect to that, "If you want to buy the advertising rights, we will help you buy them; but we will not be in a position of offering you an incentive to use your police powers to accomplish something in a retroactive, ex post facto way."

The other matter, and the final one, which I wish to speak about concerning the billboard provision, is that it is not automatic. Nothing will really happen unless a State wants something to happen. It is a cooperative venture. In that respect, we sought also to protect the interests of the traveling public, the communities, and businesses near the highway. In the final analysis, I think the language which was adopted for paragraphs 3 and 4 of the section dealing with policies and standards is pretty good language, after all.

Paragraph 4, as it was reported, provided that the agreements between the States and the Federal Government should include signs which were of interest and service to the traveling public.

Subparagraph (3), as it was amended, struck out the impracticable figure of 500 square inches as a measurement of standard, and inserted the same language as was contained in paragraph 4, namely, that signs which conformed to the policy would be permitted for business or for activities which are located within 12 miles of where the sign is to be placed. That was definitely in the interest of protecting communities, facilities, motels, restaurants, and other services, institutions, or businesses which might be bypassed by the relocation of the interstate highways.

On that ground, I think those two clauses—paragraphs 3 and 4—are in the interest of the traveling public and also in the interest of people adjacent to the highways who might have been injured or bypassed. These are definitely constructive improvements over the original language.

I had not intended to speak this long on the conference report, but I appreciate the courtesy of the distinguished chairman of the Committee on Public Works [Mr. CHAVEZ] in yielding to me for these comments.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. CARLSON. I would not want the opportunity to pass without my paying tribute to the chairman of the Committee on Public Works [Mr. CHAVEZ], the chairman of the subcommittee, the Senator from Tennessee [Mr. GORE], and the ranking minority member, the junior Senator from South Dakota [Mr. CASE] for bringing the proposed legislation before the Senate. It is important, not only to the Nation as a whole, but also to the individual States.

I realize that the enactment of the bill will bring problems to the States. I think some States will have difficulty in obtaining matching funds unless their legislatures are in session. Fortunately, a special session of the Kansas Legislature has been called for April 21. I am



certain that the highway measure now before the Senate will be given consideration by the Kansas Legislature at the special session. I am very happy that the Senate by its action today will afford the Kansas Legislature, in special session, an opportunity to vote such special funds as will be needed for matching the Federal contribution, and therefore to take prompt advantage of the new law.

I firmly believe that this is one of the most forward looking steps Congress has taken for the benefit of the Nation in many years.

I again commend the chairman of the full committee, the chairman of the subcommittee, and the ranking minority member of the subcommittee for their sponsorship of this fine measure.

Mr. CASE of South Dakota. Mr. President, those words coming from the Senator from Kansas are particularly appreciated. The Senator from Kansas was for many years a Member of the House of Representatives and knows the history of highway legislation for a considerable period.

Moreover, he has served as governor of Kansas for two terms and knows the administrative problems of States in relation to the whole matter of Federal aid to highways.

It is interesting that the legislature of his State is about to meet and to put itself in a position to take advantage of the opportunities offered by the bill. One of the features which I hope the Kansas Legislature will notice is that the \$400 million emergency fund for ABC roads is made available on a basis of complete transferability as among primary, secondary, and urban roads within the States. Once an apportionment has been made, the States may use the money where they have the greatest need for roadbuilding or where they want to provide some good roadbuilding jobs. Complete transferability, I think, is one of the constructive features of the bill.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. DWORSHAK. I express the sincere appreciation of the State of Idaho to the chairman of the committee, to the chairman of the subcommittee, and to the ranking Republican member of the subcommittee for their vigorous defense of the Senate provisions of the bill dealing with the public lands States, so far as public lands funds and forest highways are concerned.

I think there is a misunderstanding frequently concerning the approximately 360 million acres of public domain, federally owned land, in the West. Obviously, the States within whose borders the public domain lies assume a disproportionate burden in trying to keep abreast of the nonpublic lands States in accelerating the highway program.

Again I wish to point out that the distinguished chairman of the subcommittee, the Senator from Tennessee [Mr. GORE], who held hearings in the West, and in the State of Idaho last December, had a very thorough understanding

of the needs of the highways in the public-land States.

Although the House conferees made material reductions in the amounts of the authorizations voted by the Senate for these categories of highways, I believe we have made a beginning in that direction, so that we in the West can maintain a status comparable to that of the other States in connection with the building of essential highways, not so much to take care of local needs as to provide essential highways for transcontinental use.

Mr. CASE of South Dakota. Mr. President, the distinguished Senator from Idaho was most persuasive with the committee. He and his associates also were very persuasive with the chairman of the subcommittee when the hearings were held in Idaho. The Senators from Idaho and their associates must really have given the distinguished Senator from Tennessee an excellent view of the situation, because on several occasions he took occasion to say to the committee, "After going there and seeing the situation firsthand, I changed my mind. I found that by building only a few miles of road, hundreds of miles of travel could be saved." I heard the Senator from Tennessee say that, not once, but many times.

Mr. DWORSHAK. The Senator from Tennessee not only traveled by automobile over the area, but he also flew over it and got a view from the air.

Mr. CASE of South Dakota. In any event, the Senator from Tennessee became convinced of the importance of that aspect of the program; and he presented effectively, both in the conference committee and in the Senate committee, the point of view which was expressed a moment ago by the Senator from Idaho.

Mr. President, I desire to express my appreciation to the distinguished Senator from Oregon [Mr. NEUBERGER] for permitting me to proceed at this time.

I now yield the floor.

Mr. NEUBERGER. Mr. President, I should like to add to the very much deserved encomiums which have been delivered here today in connection with the highway bill.

I particularly wish to commend the members of the Senate conference committee who, although they themselves are opposed to the control of billboards by legislation, nevertheless followed the wishes of their colleagues in the Senate. I believe that act by them is fully deserving of the plaudits which already today have been received by them.

I also wish to concur, in particular, in what was said about the distinguished junior Senator from California [Mr. KUCHEL]. He and I worked together on the various proposals in the field of signboard regulation. I believe that in the absence of the very friendly bipartisan cooperation which existed between us, it might have been impossible to achieve the results which now have been achieved. I do not think anyone could have been more cooperative than was Senator KUCHEL in compromising certain phases of his own bill. I trust that I was equally amenable in my work with him.

The chairman of the Roads Subcommittee, the distinguished junior Senator from Tennessee [Mr. GORE], led the fight on the floor of the Senate and was the field marshal in charge of the operations. Without him, we would not have succeeded.

Mr. President, this has been a long trail. I think the Senator from Tennessee remembers when we brought a very, very mild signboard provision onto the floor of the Senate in 1955, and lost it summarily. But that was the remote beginning of this undertaking.

The ladies of the United States who belong to the garden clubs have not been mentioned in the Senate thus far today. Not only do they share in this victory; but I also believe that they, themselves, won it. They let their Senators know how they felt about signboards which would deface the interstate highways.

In view of what happened in the other body today, it is evident that the ladies who belong to the garden clubs also let their Representatives know how they felt about this matter.

As a matter of fact, I understand that today in the United States, women cast more votes than men do. That situation is in line with the facts set forth in an article by an eminent writer, which recently was published in Harper's magazine. In the article he points out that women live longer than men, and therefore women comprise the majority of the population of the United States.

Mr. President, the overwhelming majority of the letters and other communications which I received in regard to signboards came from women. I think particularly the women of America—the housewives, the girls, the grandmothers—care how our highways look. The men may want to have four-lane highways with easy grades and wide curves, so they can drive on them with safety and at high speeds; but I think the ladies in the garden clubs and in the League of Women Voters and in the General Federation of Women's Clubs care what the highways look like, and do not want them plastered with signboards. They have let the Senate and the House of Representatives know how they felt; and I believe that the vote taken today in the House of Representatives is not only an indication of the wisdom of the Members of the House, but also is an indication of the wisdom of the citizens of this country who got in touch with them.

Mr. President, as has been stated again and again, this measure provides for the making of purely voluntary cooperative arrangements, insofar as billboards are concerned. Not one State will have to take advantage of the one-half of 1 percent donation or of the funds made available through the acquisition procedure. However, I am willing to venture the prediction that many States will do so, because, just as the ladies who belong to the garden clubs are able to write, and have written, to their representatives in Congress in Washington, D. C., they can also write to Sacramento, Calif.; to Salem, Oreg.; to Boise, Idaho; to Albany, N. Y.; to Santa Fe, N. Mex.;



and to all the other great State capitals of the country.

Today, the Federal Government has provided the machinery by which the roadsides can be protected, so that those who drive over the roads can have a chance to look at the scenic grandeur of America. Today, the members of the American Automobile Association and its affiliated groups and the members of the garden clubs can go to the State capitals and can say to their representatives there, "Uncle Sam has made available this bonus and these acquisition funds. You must set up a cooperative agreement with the Federal Government to protect our roadside beauty."

Mr. President, I predict that the States will act, that they will take advantage of this arrangement, and that it will be a reasonable and, I may even say, a highly effective means of commencing the protection of what we call "America, the Beautiful."

Mr. President, I desire to thank all my colleagues for their wonderful cooperation. I particularly desire to thank my seatmate, the distinguished junior Senator from Tennessee [Mr. GORE], who, on the floor of the Senate, led the fight by means of which we retained this provision, last week. If the victory belongs to any one person in public life, certainly it belongs to him.

Mr. KUCHEL. Mr. President, written here today is the final, convincing, and successful legislative chapter in a years-long struggle to recognize and promote the people's rights and the people's interests.

This measure is excellent not alone because of its recognition of the needs of highway construction in this Nation, not alone because of its recognition that those needs have been accelerated and, thus, that the program of highway construction likewise must be accelerated.

This measure is excellent, Mr. President, not alone because it constitutes an excellent antirecession bill—probably the outstanding one of this session.

But it is excellent also because it represents, so far as the Congress is concerned, an acceptance of the principle of roadside protection and of preservation of scenic beauty in America through which now, and in the immediate years ahead, a modern, efficient, high-speed 41,000-mile interstate highway system is about to be constructed.

I pay tribute to the junior Senator from Oregon [Mr. NEUBERGER]. He sits on the other side of the aisle. He began to awaken the conscience of the Senate to the necessity of protecting the beauties of nature alongside our great new Interstate System, in a field in which until now the Congress has failed or neglected to legislate.

I pay tribute to all those on both sides of the aisle who participated in the drafting of the billboard incentive section of the bill, and thereafter stood and were counted on a bipartisan basis, in favor of it; this was no partisan political issue.

Congress has now laid down a national policy. Congress now has supplied an incentive to the States. It

only remains for the President speedily to approve the bill, as I most respectfully hope that he will. Then it will be up to the States of the American Union to implement what Congress has done, and, I very much hope, to present, in the years ahead a convincing demonstration all across the country of the needs of the people and of the wishes of the people, and the response of State governments, under our national policy, to those needs and those wishes.

If that be the case, Mr. President, you and I and every family in this land can look forward to the enjoyment of driving from our States or from any other State in this Union across the country and back again on highways which will be safe and which will afford travelers comfort and happiness as they speed along their way.

Mr. MANSFIELD. Mr. President, before the vote on the conference report is taken, I desire to join my colleagues in paying tribute to the distinguished chairman of the committee [Mr. CHAVEZ], who has worked long and arduously; to the distinguished junior Senator from Tennessee [Mr. GORE], who, as chairman of the subcommittee, did much of the groundwork; to the junior Senator from Oregon [Mr. NEUBERGER], who was a fighter in a good cause; to the junior Senator from South Dakota [Mr. CASE], who devoted himself to the task with his usual thoroughness; to the able Senator from California [Mr. KUCHEL], for his drive and great ability; to the distinguished Senator from Oklahoma [Mr. KERR], who has worked long and arduously; and to all the other members of the committee; but I especially wish to commend the present presiding officer, the junior Senator from Idaho [Mr. CHURCH], the youngest member of the committee, who did such outstanding work, along with his senior colleague from the State of Idaho [Mr. DWORSHAK], in securing authorization for the funds necessary to bring about an earlier completion of the Lewis and Clark Highway, in obtaining authorization for funds to accelerate the forest highway program, and for additional money for the forest access roads. I am delighted at this time to pay tribute to this outstanding young Senator, who is the newest member of the Committee on Public Works, and who has done so much to advance the cause of those of us who live in the northwestern section of the country.

Mr. CHAVEZ. Mr. President, I wish to join the Senator from Montana in paying tribute to the young and new Senator from Idaho [Mr. CHURCH]. When we talk about the billboard section of the bill, it is well to refer to my friends from Tennessee and Oregon. They were dedicated Senators. It is all right to speak about Senators who were against the billboard section of the bill, as I was, as the Senator from Oklahoma [Mr. KERR] was, and as the Senator from Pennsylvania [Mr. MARTIN] was. But the one who cast the deciding vote to keep the provision in the bill was the junior Senator from Idaho. So I think he deserves special praise.

## RECORD OF THE SENATE IN THE PRESENT SESSION

Mr. MANSFIELD. Mr. President, when we adjourn today, we will leave here for welcome opportunity to spend some time with the people whom we represent.

This has been a very busy session—one of the busiest in my memory. It has also been a session of accomplishment—as much accomplishment as I can ever recall by this season of the year.

We were confronted with a problem—a problem that involved people and which required an immediate response. The deepening economic recession had put 5,200,000 men and women out of work, and something had to be done.

Under the leadership of LYNDON JOHNSON, a program was put together. It was a program of action—not hasty, not panicky, not ill-conceived—but a program of effective action.

Within the space of a few weeks, the Senate has taken these steps:

First. Approved—by a vote of 93 to 1—the resolution to accelerate civil public works.

Second. Approved—by a vote of 76 to 1—a resolution to accelerate military public works.

Third. Approved—by a vote of 86 to 0—a bill to stimulate the housing industry and create a potential of an additional 600,000 to 800,000 jobs.

Fourth. Approved—by a vote of 84 to 4—a bill to accelerate the highway program and create a potential of some 520,000 jobs.

Fifth. Approved—by a vote of 52 to 11—a conference report on the omnibus flood control bill, which should create a potential of nearly 400,000 jobs.

Sixth. Approved—by a vote of 50 to 43—a farm bill designed to maintain farm income and farm purchasing power.

Mr. President, this is a solid and substantial record. I take special pride in the fact that all of these measures were passed by bipartisan votes. The record represents the Senate responding to the desires and to the needs of our people.

There are still three provisions in the Johnson program to be considered by the Senate. They are:

First, the community public works bill which, unfortunately, was delayed by some unexpected last-minute thoughts.

Second, an expanded airport program which is now before the committee.

Third, a reclamation program whose provisions rest on careful study made by the distinguished Senator from New Mexico [Mr. ANDERSON].

The distinguished majority leader [Mr. JOHNSON of Texas] has conferred with the Speaker of the House and the chairman of the House Appropriations Committee. He has asked that the civil functions bill be expedited so that the Army engineers will know at the earliest possible moment what funds they will have for their planning. There will, of course, be cooperation because all of us are determined to take effective steps to help our fellow Americans in their hour of need.



Mr. President, it is unfortunate that one of the most important measures in this program has been vetoed. I am referring to the farm bill—which was simply an effort to prevent the use of the powers of government to force farm income below 1957 levels.

It is a sad commentary that we seem able to secure cooperation in our efforts to help almost every part of the economy except agriculture. If farmers come to the conclusion that they have been singled out by the executive agencies to bear the brunt of the impact of the recession, their feelings will be understandable.

At the present moment, there is little we can do about it. Ours is a system of checks and balances, and if one branch of the Government is willing to act and another branch is not willing to act, extreme difficulties can be created.

We can only hope that the determination to block Congress will not be extended to other fields of endeavor. A veto is not the only method which can be used to choke off initiative. Congress can propose, but the laws must be carried out by the men who have the responsibility for administering those laws.

I hope the headlines of the last 2 days, which tell us that the executive branch of the Government is determined to prevent further antirecession legislation, do not accurately reflect the state of mind at the other end of Pennsylvania Avenue.

Prosperity may be just around the corner. We may have reached the bottom of the recession, ready for an upswing.

But people do not turn a corner unless they are willing to move. And upswings do not occur if there is a determination to remain on dead center.

We are dealing with people—not with abstract economic theories. I think we will all agree with the President that the best stimulus to an economy is when people spend their own money.

But in order to spend their own money they must first have it to spend. And they will not have money unless there are payrolls, and unless there is adequate leadership which recognizes the true urgencies of life.

This session, I believe, has acted in the finest traditions of Congress. It has faced the issues squarely. By that I mean not only the issues of recession but the issues of the defenses of this Nation.

The exhaustive hearings of the Senate Preparedness Subcommittee—which began last November—are now bearing fruit.

The President has agreed with some of the findings of the committee and has indicated that he will strengthen the defenses of our country. The Secretary of Defense has already issued some orders which accord with the recommendations of the Preparedness Subcommittee that our country be strengthened.

We have in front of us not a vacation but an opportunity to talk to our people and learn at first hand of the problems which now are reflected in cold

statistics. I know every Member of the Senate will take advantage of that opportunity.

When we return, it is planned to make the community facilities bill the first order of business. This is in accord with the motion offered by the distinguished minority leader on Monday evening, which was agreed to by the Senate. I hope that the other measures will be ready and that we can proceed to complete action on the Johnson program.

There are other measures, which properly are the prerogative of the House and which are receiving serious consideration in that body. No one at this point can foresee exactly how they will come to us or how they will be handled, but I know my colleagues are giving those questions deep thought and will be ready to act with the same promptness with which we have acted already.

Haste and urgency are two different words, even though there are some people who seem incapable of recognizing the difference. What may be haste to the man who is in a comfortable position could seem a proper response to urgency to the man who needs a job.

Mr. President; I wish to thank my colleagues for the cooperation they have accorded to me and to express my pleasure at the opportunity of working with them.

#### CERTAIN PUBLIC WORKS ON RIVERS AND HARBORS—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 497), authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and other purposes.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. GORE. Mr. President, I move that the vote by which the conference report was agreed to be reconsidered.

Mr. NEUBERGER. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table.

The motion to lay on the table was agreed to.

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Ratchford, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. CHURCH in the chair) laid before the Senate messages from the President of the United States submitting sundry

nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### RULES FOR REPAIR OF POWER OR TRAIN BRAKES

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1386) to authorize the Interstate Commerce Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power or train brakes, which was to strike out all after the enacting clause and insert:

That (a) this act may be cited as the "Power or Train Brakes Safety Appliance Act of 1958."

(b) Section 2 of the Safety Appliance Act of March 2, 1903 (32 Stat. 943, chapter 976, sec. 2; 45 U. S. C. 9), is amended (1) by changing the semicolon at the end of the third clause thereof to a period, (2) by striking the remaining language of the section, and (3) by adding at the end of that section the following new language: "One hundred and twenty days after the date of enactment of the Power or Train Brakes Safety Appliance Act of 1958, the Interstate Commerce Commission shall adopt and put into effect the rules, standards, and instructions of the Association of American Railroads, adopted in 1925 and revised in 1933, 1934, 1941, and 1953, with such revisions as may have been adopted prior to the enactment of such act, for the installation, inspection, maintenance, and repair of all power or train brakes for common carriers engaged in interstate commerce by railroad. Such rules, standards, and instructions shall thereafter remain the rules, standards, and instructions for the installation, inspection, maintenance, and repair of all power or train brakes unless changed, after hearing, by order of the Interstate Commerce Commission: *Provided, however,* That such rules or standards or instructions or changes therein shall be promulgated solely for the purpose of achieving safety. The provisions and requirements of this section shall apply to all trains, locomotives, tenders, cars, and similar vehicles used, hauled, or permitted to be used or hauled, by any railroad engaged in interstate commerce. In the execution of this section, the Interstate Commerce Commission may utilize the services of the Association of American Railroads, and may avail itself of the advice and assistance of any department, commission, or board of the United States Government, and of State governments, but no official or employee of the United States shall receive any additional compensation for such service except as now permitted by law. Failure to comply with any rule, regulation, or requirement promulgated by the Interstate Commerce Commission pursuant to the provisions of this section shall be subject to the like penalty as failure to comply with any requirement of this section."

Mr. SMATHERS. Mr. President, I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its



reading clerks, announced that the House had passed a bill (H. R. 9291) to define parts of certain types of footwear, in which it requested the concurrence of the Senate.

#### HOUSE BILL REFERRED

The bill (H. R. 9291) to define parts of certain types of footwear, was read twice by its title, and referred to the Committee on Finance.

#### ADDITION OF CERTAIN LANDS TO THE CARIBOU AND TARGHEE NATIONAL FORESTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 1433, S. 1748.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 1748) to add certain lands located in Idaho and Wyoming to the Caribou and Targhee National Forests.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (S. 1748) to add certain lands located in Idaho and Wyoming to the Caribou and Targhee National Forests, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 4, line 16, after the word "Forests", to insert a colon and "Provided, That any acquired lands hereby incorporated into the national forest shall be subject to the laws and regulations applicable to national forest lands acquired under the act of March 1, 1911 (36 Stat. 961), as amended."; on page 5, line 1, after the word "Forest", to insert "and shall be subject to the laws and regulations applicable to national forest lands acquired under the act of March 1, 1911 (36 Stat. 961), as amended."; and in line 12, after the word "act", to insert a comma and "nor to prejudice the sale or lease by the Secretary of the Interior of lands for which application is now pending under the act of June 1, 1938 (52 Stat. 609), as amended, or any similar authority."; so as to make the bill read:

*Be it enacted etc.,* That the exterior boundaries of the Targhee National Forest, located in Idaho and Wyoming, are hereby extended to include the following described lands:

Lot 1 of section 7; lots 1, 4, 5, 6, and 9, the east half of the northeast quarter, the northwest quarter of the northeast quarter, the northeast quarter of the northwest quarter, and the east half of the southeast quarter of section 8; all of section 15; lots 1, 2, and 3, the northeast quarter, the northwest quarter, the north half of the southwest quarter, the east half of the southeast quarter, and the northwest quarter of the southeast quarter, of section 16; lots 1, 4, and 5, of section 17; lots 1 and 2 of section 21; lots 1, 2, 5, and 6, the east half of the northeast quarter, and the northwest quarter of the northeast quarter of section 22; lots 1 and 3, the north half, the northeast quarter of the southwest quarter, and the southeast quarter of section 23; the west half of section 24, the west half of section 25; lots

1, 4, 5, and 8, the northeast quarter, and the east half of the southeast quarter of section 26; lots 1, 4, 5, and 8 of section 35; and all of section 36, all in township 1 south, range 45 east of the Boise meridian, in Bonneville County, State of Idaho; and

All of section 1; lots 1, 2, 7, 8, and 11, the southeast quarter of the northeast quarter, and the northeast quarter of the southeast quarter of section 2; lot 1 of section 11; lots 1, 3, 4, and 7, the northeast quarter, the northeast quarter of the northwest quarter, and the east half of the southeast quarter of section 12; lots 1, 4, 5, and 9, the northeast quarter, and the northeast quarter of the southeast quarter of section 13; and lot 1 of section 24, all in township 2 south, range 45 east of the Boise meridian, in Bonneville County, State of Idaho, and

The west half of section 6; all of section 7; the west half of section 8; the west half of section 17; all of section 18; lots 1, 2, 3, and 6, the northeast quarter, the east half of the northwest quarter, the east half of the southeast quarter, and the northwest quarter of the southeast quarter of section 19; all of section 20; the southwest quarter of section 21; all of section 27; all of section 28; all of section 29; lots 1, 4, 5, and 8, and the southeast quarter of the southeast quarter of section 30; lots 1 and 4, and the northeast quarter of the northeast quarter of section 31; lots 1 and 3, the northeast quarter, the northwest quarter, the northeast quarter of the southwest quarter, and the southeast quarter of section 32; all of section 33; all of section 34; all in township 2 south, range 46 east of the Boise meridian, in Bonneville County, State of Idaho; and

All of section 3; all of section 4; lots 1, 2, 3, 6, 7, and 11, the south half of the northeast quarter, and the northeast quarter of the southeast quarter of section 5; lot 1 of section 8; all of section 9; all of section 10; all of section 15; all of section 16; and all of section 22, all in township 3 south, range 46, east of the Boise meridian, in Bonneville County, State of Idaho; and

The southwest quarter of the southwest quarter of section 17; lots 2, 3 and 4, the west half of the southwest quarter of the northeast quarter, the southeast quarter of the northwest quarter, the east half of the southwest quarter, the northwest quarter of the southeast quarter, and the south half of the southeast quarter of section 18; all of section 19; the west half of the northwest quarter, and the south half, of section 20; all of section 29; all of section 30; all of section 31; and all of section 32, all in township 37 north, range 118 west of the sixth principal meridian, in Lincoln County, State of Wyoming; and

All of section 2; all of section 3, and all of section 4, all in township 36 north, range 119 west of the sixth principal meridian, in Lincoln County, State of Wyoming.

SEC. 2. All lands of the United States located within the exterior boundaries of the Targhee National Forest and all lands which have been, or are hereafter acquired by the United States in connection with the Palisades Reservoir reclamation project (other than the lands referred to in section 3) are hereby incorporated into and made parts of the Targhee National Forest: *Provided,* That any acquired lands hereby incorporated into the national forest shall be subject to the laws and regulations applicable to national forest lands acquired under the Act of March 1, 1911 (36 Stat. 961), as amended.

SEC. 3. All lands of the United States within the exterior boundaries of the Caribou National Forest, Idaho, which have been, or are hereafter, acquired by the United States in connection with the Palisades Reservoir reclamation project are hereby incorporated into and made parts of the Caribou National Forest and shall be subject to the laws and regulations applicable to national forest lands acquired under

the Act of March 1, 1911 (36 Stat. 961), as amended.

SEC. 4. (a) It is hereby declared that the sole purpose of this act is to subject the lands referred to in the foregoing sections of this act to all laws and regulations applicable to national forests, and nothing in this act shall be construed to authorize the United States to acquire any additional lands or any interest therein, nor to diminish or in anywise affect any valid rights in or to, or in connection with, any such lands which may be in existence on the date of enactment of this act, nor to prejudice the sale or lease by the Secretary of the Interior of lands for which application is now pending under the act of June 1, 1938 (52 Stat. 609), as amended, or any similar authority.

(b) (1) The Secretary of Agriculture shall make available, from the lands referred to in the foregoing sections of this act, to the Bureau of Reclamation of the Department of the Interior such lands as the Secretary of the Interior finds are needed in connection with the Palisades Reservoir reclamation project.

(2) The Secretary of the Interior is authorized to enter into such agreements with the Secretary of Agriculture with respect to the relative responsibilities of the aforesaid Secretaries for the administration of, as well as accounting for and use of revenues arising from, lands made available to the Bureau of Reclamation of the Department of the Interior pursuant to paragraph (1) as the Secretary of the Interior finds to be proper in carrying out the purpose of this act.

The amendments were agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

#### ADDITIONAL FUNDS FOR THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1444, Senate Resolution 273.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 273) to provide additional funds for the Committee on Post Office and Civil Service.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. CASE of South Dakota. Mr. President, I desire to ask, for the purpose of the Record, whether the resolution was reported from the committee with the approval of the ranking minority member.

Mr. JOHNSTON of South Carolina. The resolution was reported by a unanimous vote of the entire committee.

Mr. CASE of South Dakota. Mr. President, I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana that the Senate proceed to the consideration of the resolution?

There being no objection, the resolution (S. Res. 273) to provide additional funds for the Committee on Post Office and Civil Service was considered and agreed to, as follows:



LAK] and the gentleman from Rhode Island [Mr. FORAND], have worked effectively and diligently to bring this legislation to its present posture. The legislation is meritorious in character and would give to our American producers the protection that Congress has consistently intended that they should have. The legislation is extremely technical in nature but the committee report accompanying the legislation provides an excellent statement of purpose and intent.

(Mr. SADLAK asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SADLAK. Mr. Speaker, it seems that foreign manufacturers have discovered a loophole through which hundreds of thousands of pairs of rubber-soled fabric shoes have entered this country as leather footwear during the past few years. Footwear that should be properly designated as rubber footwear when being imported into this country is being classified as footwear with upper in the chief value of leather.

This loophole is being exploited by applying pieces of leather to the uppers—a tongue, a backstay, eyelet-stays, ankle patches, and so on, so that the uppers would be classified in chief value of leather. These additions provide no real improvement, but they keep the appearance of the footwear similar to that of the popular American-made rubber-soled fabric-upper footwear and yet give the benefit of a lower rate of duty.

It is certainly evident that this is merely a subterfuge on the part of foreign producers to allow them to import this footwear into this country at a lower rate of duty than they would have to pay if the footwear was properly designated as rubber.

Through this unfair competitive advantage foreign manufacturers have been able to make serious inroads into the footwear market and have caused serious damage to the domestic footwear industry resulting in unemployment to many in that industry.

I felt that this inequity should be corrected and for that reason, I introduced H. R. 9291 which is designed to close the loophole I have mentioned and put footwear imported from foreign manufacturers on the same competitive basis as the footwear manufactured by our domestic producers. It would provide that for any shoe to be classified as a leather shoe the major area of the uppers would have to be leather.

As I have said before and now wish to reiterate, unless we provide certain safeguards for our domestic producers against unfair competition from foreign imports, we will destroy the very foundation of free enterprise our economy is built on.

Therefore, Mr. Speaker, considering the situation in general, and the unfair circumstances involved there are few indeed who will not join with me in asking favorable consideration of such legislation by the Congress.

(Mr. NIMTZ, at the request of Mr. SADLAK, was given permission to extend his remarks at this point in the RECORD.)

Mr. NIMTZ. Mr. Speaker, because of a loophole in our tariff regulations which permits certain types of rubber-sole fabric shoes to be classified as footwear with uppers in the chief value of leather, our domestic rubber-footwear industry has been unfairly subjected to low-price competition from foreign manufacturers. This is due to the fact that under present regulations a rubber-sole shoe with fabric upper which includes a small piece of leather, such as a tongue, an ankle patch or eyelet stay or back stay, is not designated as rubber footwear and therefore is imported at a lower rate of duty than would have applied if the item had been properly designated as rubber footwear.

H. R. 9291 would close this loophole and thus would put an end to the use of the subterfuge which has permitted foreign manufacturers to evade the duty Congress intended to apply on rubber-sole footwear with fabric uppers.

It has been my privilege to work with members of the House Ways and Means Committee concerning this legislation. On February 6, I introduced H. R. 10573, which is similar to and would accomplish the same purpose as H. R. 9291, the bill under consideration today.

Mr. Speaker, the rubber-footwear industry is vital, not only for the health but also for the defense of our country, and should be provided with reasonable safeguards against such unfair competition.

For these and other equally valid reasons, I respectfully urge the enactment of the legislation provided in H. R. 9291.

(Mr. FORAND, at the request of Mr. MILLS, was given permission to extend his remarks at this point in the RECORD.)

[Mr. FORAND's remarks will appear hereafter in the Appendix.]

#### AUTHORIZING THE CLERK TO RECEIVE MESSAGES FROM THE SENATE AND THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that, notwithstanding the adjournment of the House until April 14, 1958, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

#### FEDERAL-AID HIGHWAY BILL OF 1958

Mr. FALLON. Mr. Speaker, I call up the conference report on the bill (H. R. 9821) to amend and supplement the Federal-Aid Road Act approved July 11, 1916, to authorize appropriations for continuing the construction of highways, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of April 2, 1958.)

Mr. FALLON. Mr. Speaker, the conference report before us today has two major points in it that were not considered in the House at any time. The ABC bill that passed the House just two weeks ago is identical to the corresponding part of the bill that is before us now with the exception of an increase in forest and park highways and roads, an increase of \$400 million emergency fund for ABC roads for 1959 which would be advanced to the States. In addition there is \$115 million that will be available for advancement to the States.

This money can be borrowed by the States and paid back by subtracting the amount of money borrowed from their fiscal year 1961 and 1962 allotment out of the ABC funds.

The formula of distribution of the money is two-thirds to one-third; two-thirds supplied by the Government and one-third supplied by the States.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from Illinois.

Mr. ARENDS. Did the gentleman have reference to the \$400 million on the two-thirds to one-third basis? Is that contrary to past procedure?

Mr. FALLON. In the past procedure, the regular Federal-Aid Highway Act, is fifty-fifty.

Mr. ARENDS. That is what I thought. This is a new procedure. Where does this \$400 million come from?

Mr. FALLON. Out of direct appropriations to be repaid out of the trust fund.

Mr. ARENDS. This is a new appropriation which it would be necessary for the Congress to make?

Mr. FALLON. That is right.

The \$115 million to be advanced to be paid back by the States can be borrowed from the Government out of this fund up to two-thirds of the States' share, so that the work that is already planned and ready to put under contract can be started immediately.

This easy method of borrowing is used because many of the States have obligated all of their money and this makes it more simple for them to raise additional money.

The conferees of both the House and the Senate felt in this connection that this would be an orderly manner in which to get money into all of the counties in the country. It can be controlled by the Governors or the State highway officials of the individual States by allocating the money in distressed areas of their States. The money will be controlled almost exactly the same way that all ABC money has been controlled in the past.

Except for the additional \$400 million, the amount of money under the ABC program remains the same as passed the House, that is, as it is contemplated in the regular Federal-Aid Highway Act.



The other major change was on forest and park roads and trails. This amount was increased in conference. Forest roads were increased \$5 million for 1959 over the bill that passed the House, and \$3 million for 1960 and 1961 over the amount that was passed by the House.

Forest roads and development trails was increased \$5 million for 1959 and \$1,500,000 for 1960 and 1961.

Funds for park roads were increased \$2 million over the House figure for 1960 and 1961.

Parkways remained the same.

Indian roads remained the same.

Public lands, \$3 million was added, \$1 million in 1959 and \$1 million in 1960 and 1961.

These were the major changes in the public domain roads.

The difference in the House bill and the conference substitute is that funds for the Interstate System were not included in the House bill. The Senate added \$200 million for 1959. The House receded and concurred with that additional amount. In 1960 and 1961, \$300 million annually was added to the 1956 act, in which the House receded and concurred.

These were the major changes in the financing authorization and development of the highways.

The other major change, and it is new legislation, is the section which limits the construction of billboards on approximately 25,000 miles of road in the Interstate System. It pays to the States an additional sum of one-half of 1 percent of the total amount of money that is allocated to them by the Federal Government if they will control billboards on this 25,000 miles. This is 25,000 miles out of approximately 776,000 miles of Federal-aid highways. The only thing it does is to limit it to these 25,000 additional miles.

Under the appropriation for ABC roads, many, many miles will be built with Federal-aid money that will allow the advertising people to extend their business for many miles along those roads. We are only restricting them on the Interstate System. The initiative starts with the States. The Government does not state that billboards cannot be built on the Interstate System. They merely pay a premium to the States, if they can comply with the act. That, gentlemen, is a description of the major changes that have not been considered by the House previously.

Mr. Speaker, I yield to the gentleman from Ohio, our colleague on the committee, such time as he may desire.

Mr. MCGREGOR. Mr. Speaker, I appreciate the time allotted to me by my distinguished friend and chairman of the Subcommittee on Roads of the Committee on Public Works who was also chairman of the conferees on the part of the House. I, personally, feel it is to be regretted that this bill comes before us with so many important changes which were not in the House bill which was passed unanimously by this body, and now presented to us in this conference report. There are many items in the legislation that have never been considered by this body or by the Committee on Public Works. You will recall some days

ago we passed a bill which was authored by the gentleman from Maryland [Mr. FALLON], which is known as the ABC bill. That legislation simply renewed the existing law. This was done because we felt that the law had only been in operation for 15 or 16 months and we did not care to make any direct changes until it had had a little greater opportunity to work.

Mr. FALLON. Mr. Speaker, will the gentleman yield?

Mr. MCGREGOR. I yield.

Mr. FALLON. I said previously that many changes had been made that the House had not considered. Would the gentleman tell us if there were any changes in the conference report other than what I have explained to the House?

Mr. MCGREGOR. I regret very much that I did not hear what the gentleman said was in difference. But I will enumerate some and, if I am in error, I certainly will stand to be corrected.

The first matter which we did not give any consideration, either in the House or our Committee on Public Works, is the one that is in so much controversy, namely, the billboard provision. In checking the records of the other body, we find that they had about 15 or 16 hours of debate on the billboard section, and about 20 minutes' debate on several million dollars' worth of highway construction and highway program. That subject is one of the various problems in the bill that we have never considered. I might also add: In this bill there is a change in the utility section from what we passed in the House when the 1956 act was before us for consideration.

Mr. FALLON. Mr. Speaker, will the gentleman yield?

Mr. MCGREGOR. I yield.

Mr. FALLON. The gentleman will remember that when we came to the utility section in conference, we accepted that because we thought it improved the legislation that had been passed heretofore.

Mr. MCGREGOR. That is correct.

Mr. FALLON. It merely states that a State must show proof that they have advanced money to a utility company. They must show proof. Under the existing law, they did not have to show proof but just had to say that they had advanced money.

Mr. MCGREGOR. The gentleman is correct. But I still contend that my statement is correct because with the amendment put in by the other body, there is an inference there that the States have not been playing exactly cricket so far as the intent of the Congress is concerned. The accusation was made that some States were not paying their proportionate share and that it might be being paid by some utility. I repeat this subject was not discussed this year or at any time this legislation was before us. We are entitled and the Members are entitled to express their views on this and other subjects.

Mr. FALLON. Does the gentleman feel that this will correct any future acquisitions on the State, that this keeps this from happening?

Mr. MCGREGOR. I think it is a good amendment, but I repeat my statement

that that particular subject has never been considered either by the committee or by this body. We did not question the actions of the States—as the other body seemed to do.

There were some other changes made.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. MCGREGOR. I yield.

Mr. GARY. I am particularly glad to hear the gentleman's statement. This method of procedure on this bill has given me great concern. It is the second time this year it has happened. Last year we passed a postal-rate increase bill. It came back to us with a salary bill attached to it which was entirely different from the bill we passed. Here we passed a simple bill, patroned by the gentleman from Maryland [Mr. FALLON], and it comes back to us as an entirely new bill. Under that procedure the House does not have an opportunity to consider these controversial questions in the proper committee or to debate them on the floor of the House. Our only opportunity is to vote for or against the conference report. This, in my opinion is a very poor way to legislate.

Mr. MCGREGOR. I thank the gentleman. The records will show that I took the initiative and made a motion in the conference that the House conferees return to the House for instructions on certain portions of the bill which we had never considered. Of course it was turned down and by the majority conferees.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. MCGREGOR. I yield.

Mr. ARENDS. I would like to raise one point.

Are we here today, without ever having had an opportunity to consider the matter of going to the Treasury for \$400 million, which comes out of the general fund, and then changing the formula of the amount of contribution made by the Federal Government?

Mr. FALLON. The \$400 million comes out of the trust fund and will be paid back to the Treasury.

Mr. MCGREGOR. I hope the gentleman from Maryland [Mr. FALLON] will check his statement on the \$400 million coming out of the trust fund. The \$400 million comes out of the general fund and it is a debt against the general fund. It does not come out of the trust fund.

Mr. FALLON. The gentleman is correct, if he wants to put it that way. The \$400 million will not be a burden on the taxpayers. It will be paid back out of that trust fund.

Mr. MCGREGOR. It will finally come out of the trust fund, but the \$400 million that is going to be used for a boost to road construction at this time is coming out of the general revenue fund, which is putting us in the position that we may have to increase our debt limitation again. I personally feel that some in this body are spending many hours to force this administration into deficit spending. Do not forget we, the Congress, appropriate the money—it is our responsibility.

Mr. FALLON. The gentleman knows that this will not affect the 1959 budget at all.



Mr. MCGREGOR. Well, I do not see how it would not affect the 1959 budget. It would not if we stay put as we are, but experience has proven to me—and I am complimenting the gentleman from Maryland—this body passed his bill, and now we come back with more than \$400 million additional. We are changing from a 50-50 matching basis to 66⅔ and 33⅓. And then giving the States an opportunity to borrow \$115 million. We give them an opportunity to borrow \$115 million if they do not have the money to match. They borrow that money from us so that they can qualify and come back and ask us to loan them some more. In other words we set rules for them to qualify under, then if they do not have the money to qualify, we loan it to them, so they will qualify to borrow some more.

Mr. FALLON. I know the reason why this bill is here today. Most of the talk has been that the committee or the House has not had a chance to express its will. The bill is here today because we are in an emergency, as far as unemployment is concerned. This bill is designed purely to get into the hands of the State officials money so that they can put it into their counties and cities so that they can improve conditions that have been reported to us as widespread unemployment.

Mr. MCGREGOR. The gentleman takes the position that this money is going to build roads?

Mr. FALLON. That is exactly what I say.

Mr. MCGREGOR. In this particular bill there is a clause that provides an incentive of one-half of 1 percent to the States, if and when they do certain things as ordered by the Federal Government. We who serve in this great body resent any implication by anyone that we might materially gain if we followed their desires and dictates.

Here we are in this legislation as an agency of the Federal Government offering a bribe to the States if they do what we want them or tell them to do—we will give them free of charge one-half of 1 percent—of your money. That is bribery pure and simple.

Mr. FALLON. The gentleman is not talking about the \$400 million.

Mr. MCGREGOR. Just a minute. The States are now on a 10-percent contribution basis, but we say to them, "If you will pass legislation that will coerce and regulate the billboard industry we will give you a bribe of one-half of 1 percent."

Mr. FALLON. May I say to the gentleman that the one-half of 1 percent that is given to the States as an incentive to do a job that we ask them to do in this bill goes entirely to the building of roads; it does not go into any other State fund.

Mr. MCGREGOR. It goes to the State and it is used for the specific purpose of paying farmers and other property owners for the option so that they will not allow billboards to be displayed.

We passed the 1956 Highway Act, introduced by the gentleman from Maryland, so we could build highways, and that is what we wanted. Now we are asked to take some of that highway

money and give it back to the States to get them to do what? To get them to legislate out of business a legitimate operation. Put out of employment thousands of people who pay taxes—and want to work and earn a living for their families.

We had never discussed this billboard subject and that is the reason that a little later I hope to make a motion to recommit this conference report so we may have an opportunity to hold hearings and be heard on these various matters that are very controversial and appear in this legislation as reported by conference committees.

Mr. FALLON. Is the gentleman going to make his motion to recommit with instructions?

Mr. MCGREGOR. No; for the simple reason that it would take so long to pick out the defects in this bill that we would never get to a vote in the time required under the rule. It will be a straight motion to recommit; then we can hold hearings and let all have an opportunity to be heard.

Mr. FALLON. In conference the gentleman made a motion to go back to the House for instructions.

Mr. MCGREGOR. I shall make the motion without instructions, because I do not think we can give instructions without hearings first.

Mr. FALLON. The gentleman made that motion in conference.

Mr. MCGREGOR. I moved to ask the House for instruction and I do not think we can give instructions until we have a hearing—why not let people be heard? What is there to be afraid of?

Of course I made the motion in conference that the conferees go back and ask for instructions. We could go back to our committee and open it up for hearings and then we would have a sound basis on which to give instructions—certainly the Members of Congress have a right to be heard.

I certainly feel that my good friend from Maryland does not want to relinquish the rights of the House to the other body. I think it is time we exercised our rights on this and other subjects.

Mr. FALLON. I explained to the gentleman that the only reason this is here today is because of the emergency in this case. I feel as the gentleman does; I would like to hear these things in committee and bring it out on the floor where we could discuss the thing for hours and hours in the House, but, under the circumstances, we had no alternative.

Mr. MCGREGOR. I agree with my friend from Maryland; but here again, as has happened before, the House passes and sends over to the other body a piece of legislation; they make extreme alterations in it, and it comes back to us under the plea of emergency and we are told we have to go along with their wishes. We should not relinquish our jurisdiction. I think it is time this body handled its own affairs, and if the other body does not want to agree we can argue it out further.

Mr. FALLON. The gentleman is saying that if we are to have a conference

report the conferees of the other body will recede all the time.

Mr. MCGREGOR. I am not asking the Senate to recede on a thing, although I am hoping that when we get to the conference we will have an opportunity to make a full report of the wishes of those we represent. After we have had a public works hearing and if the chairman will call our Committee on Public Works together and let some testimony be taken we can have a basis for action.

Mr. FALLON. Even if this report is sent back to conference we will have to accept the bill of the conferees, because we will not be under instructions from the House.

Mr. MCGREGOR. That will be perfectly all right; and if the conferees do what they did the other day, I will be here ready to take the floor again and send it back to conference. Why stop receiving information on subjects so important to all of us?

Mr. FALLON. Will the gentleman yield? I wish to yield some time to the gentleman from Minnesota.

Mr. MCGREGOR. Yes; I will be glad to.

Mr. FALLON. Mr. Speaker, I yield to the gentleman from Minnesota such time as he may desire.

Mr. MCGREGOR. Mr. Speaker, the gentleman yielded me such time as I desired and I have not yielded back my time. I would like to finish my statement.

Mr. FALLON. We have already used over half the time and I would like to yield to other Members, some on the gentleman's own side, but I will let the gentleman finish his statement.

Mr. MCGREGOR. I seemingly do not have the time to list other items that are certainly in controversy between the views of the House and the views of the other body.

I have named 2 or 3, but I reiterate, I think the time has come when we should be given an opportunity to give consideration to these controversial subjects. I shall ask to revise and extend my remarks and include a statement made by the conferees which gives a comparison of the bill as it passed the House, the House bill, the Senate bill, and the bill agreed to in conference. I am sorry that is not in the report but the report was just printed yesterday.

I again repeat, Mr. Speaker, it is my hope to be able to offer a motion at the proper time that this bill be recommended to the committee.

Mr. MACK of Washington. Mr. Speaker, will the gentleman yield?

Mr. MCGREGOR. I yield to the gentleman from Washington.

Mr. MACK of Washington. The question I desire to ask is this: Most of the bill is acceptable or a great part of it is acceptable to most Members of the House. There are objectionable features. If the motion to be offered by the gentleman from Ohio [Mr. MCGREGOR] to recommit is carried, may I ask the gentleman from Ohio how long he thinks it will delay a conference report coming back to the House after the 10-day recess and being agreed to by the Congress?



Mr. MCGREGOR. In reply to the gentleman from Washington may I say that would be determined by when the chairman would call a committee meeting. I am of the definite opinion it would not delay it over 2 or 3 days, then we would be given an opportunity to do what the testimony calls for. I see our friends on the other side smiling, but if they are willing to have a meeting we will meet tonight. We do not want to delay the program but we do want to exert our will and pass legislation that is wanted by all—not just a few.

*Authorizations in H. R. 9821*

(Millions of dollars)

	House	Senate	Conference
ABC Federal-aid roads:			
Fiscal year 1959.....		1 400	1 400
Fiscal year 1960.....	900.0	900	900
Fiscal year 1961.....	925.0	900	925
Forest highways:			
Fiscal year 1959.....		1 10	1 5
Fiscal year 1960.....	30.0	36	33
Fiscal year 1961.....	30.0	36	33
Forest development roads and trails:			
Fiscal year 1959.....		1 13	1 5
Fiscal year 1960.....	28.5	34	30
Fiscal year 1961.....	28.5	34	30
Park roads:			
Fiscal year 1960.....	16.0	20	18
Fiscal year 1961.....	16.0	20	18
Parkways:			
Fiscal year 1960.....	16.0	16	16
Fiscal year 1961.....	16.0	16	16
Indian roads:			
Fiscal year 1960.....	12.0	12	12
Fiscal year 1961.....	12.0	12	12
Public-land highways:			
Fiscal year 1959.....		1 2	1 1
Fiscal year 1960.....	2.0	4	3
Fiscal year 1961.....	2.0	4	3
Interstate highways:			
Fiscal year 1959.....	(2)	1 200	1 200
Fiscal year 1960.....	(2)	1 300	1 300
Fiscal year 1961.....		1 300	1 300
Total.....	2,034.0	3,269	3,260
Totals by fiscal years:			
Fiscal year 1959.....		1 265	1 311
Fiscal year 1960.....	1,017.0	1,322	1,312
Fiscal year 1961.....	1,017.0	1,322	1,337

<sup>1</sup> Added.

<sup>2</sup> No interstate funds.

<sup>3</sup> Includes \$200 million added for interstate.

<sup>4</sup> Includes \$300 million added for interstate.

*Unprogramed balances of Federal aid highway funds, as of Feb. 28, 1958*

(Thousands of dollars)

State	ABO	Interstate	Total
Alabama.....	1,538	32,055	33,593
Arizona.....	2,775	7,683	10,458
Arkansas.....	14,764	9,644	24,408
California.....	32,606	23,017	55,623
Colorado.....	13,680	23,876	37,556
Connecticut.....	26,554	24,948	51,502
Delaware.....	2,008	20,758	22,766
Florida.....	6,441	4,507	10,948
Georgia.....	11,643	6,881	18,524
Idaho.....	7,466	29,803	37,269
Illinois.....	30,907	15,558	46,465
Indiana.....	28,249	66,700	94,949
Iowa.....	4,350	26,637	30,987
Kansas.....	6,026	21,178	27,204
Kentucky.....	6,629	43,148	49,777
Louisiana.....	9,753	9,586	19,339
Maine.....	7,607	18,887	26,494
Maryland.....	3,818	6,153	9,971
Massachusetts.....	11,441	17,215	28,655
Michigan.....	23,316	39,347	62,663
Minnesota.....	17,375	39,511	56,886
Mississippi.....	8,048	4,232	12,280
Missouri.....	12,314	19,514	31,828
Montana.....	12,579	51,357	63,936
Nebraska.....	10,240	46,094	56,334
Nevada.....	8,821	22,623	31,444
New Hampshire.....	2,945	15,942	18,887
New Jersey.....	28,967	56,963	85,930
New Mexico.....	4,166	5,479	9,645
New York.....	62,799	63,913	126,712
North Carolina.....	20,791	44,449	65,240
North Dakota.....	4,327	14,134	18,461
Ohio.....	15,393	1,601	16,994
Oklahoma.....	5,470	10,723	16,193
Oregon.....	7,748	23,452	31,200
Pennsylvania.....	27,473	73,199	100,672

*Unprogramed balances of Federal aid highway funds, as of Feb. 28, 1958—Continued*

(Thousands of dollars)

State	ABC	Interstate	Total
Rhode Island.....	4,422	5,018	9,440
South Carolina.....	8,869	12,725	21,594
South Dakota.....	2,861	1,060	3,921
Tennessee.....	13,427	20,775	34,202
Texas.....	36,287	26,480	62,767
Utah.....	2,666	4,356	7,022
Vermont.....	3,696	1,265	4,961
Virginia.....	7,756	10,876	18,632
Washington.....	10,617	25,837	36,454
West Virginia.....	11,084	28,592	39,676
Wisconsin.....	11,171	69,789	80,960
Wyoming.....	1,020	5,364	6,384
District of Columbia.....	12,252	11,923	24,175
Hawaii.....	2,835	-----	2,835
Puerto Rico.....	7,589	-----	7,589
Alaska.....	13,809	-----	13,809
Total.....	651,387	1,164,827	1,816,214

Mr. FALLON. Mr. Speaker, I yield such time as he may desire to the gentleman from Minnesota [Mr. BLATNIK].

(Mr. BLATNIK asked and was given permission to revise and extend his remarks.)

Mr. BLATNIK. Mr. Speaker, I shall not go into any very detailed discussion about the provisions of this bill, which is pretty well understood by most of this body, so I shall dwell largely on the most controversial section of the bill, section 12, known as the "billboard section."

However, at the outset, I want to say that I agree in part with the gentleman from Ohio, and I feel, as does our very able chairman, the gentleman from Maryland [Mr. FALLON], that it is rather regrettable that the House Public Works Committee was not given an opportunity to work on a bill which has had weeks of hearings on the Senate side, and several days of debate on the floor.

But the circumstances were such that we were rushed into conference early this week in order to have the conference report up before the House before the Easter recess, so here we are. So I agree that there are sections of this bill which should have had thorough hearings and discussion in committee, and perhaps some of the matter should not, and perhaps under normal circumstances, would not, be included in this bill.

But be that as it may, the important part of this bill is that part which provides the moneys for highway construction, especially the supplemental funds which will be advanced to the States to help them accelerate an already lagging road construction program, and also to give a boost to the economy and provide employment which is badly needed in so many parts of the country. The overwhelming substance of this bill lies in its fiscal provisions, and it is important we move this right along, and that we not be distracted or delayed by the 1 or 2 sections about which there is difference of opinion.

The most controversial section is section 12.

Section 12 of H. R. 9821, known as the billboard section, sets up a new section 122 in the Federal-Aid Highway Act of 1956 and provides as follows:

States as a new national policy that it is in the public interest to encourage and assist the States to control the use

of, and improve the areas adjacent to, the Interstate System by controlling outdoor advertising in those areas. It specifies as national policy that outdoor advertising along Interstate System highways which is visible from the main portion of the highway and within a distance of 660 feet should be regulated consistent with standards to be prepared and promulgated by the Secretary of Commerce, which shall include only the following four types of signs:

First. Directional or other official signs and notices required or authorized by law;

Second. Signs advertising the sale or lease of property upon which they are located;

Third. Signs permitted by State law advertising activities within 12 miles of the point at which the signs are located which signs are consistent with the national policy and standards; and

Fourth. Signs designed to give information in the specific interest of the traveling public which are erected pursuant to State law and which are consistent with the national policy and standards. It is the intent of this subsection to eliminate all signs advertising illegal activities.

Application is restricted to rights-of-way on the Interstate System the entire width of which is acquired subsequent to July 1, 1956.

Authorizes the Secretary of Commerce to enter into agreements with State highway departments to carry out the policy set forth in this section with respect to the Interstate System. Any such agreement would include provisions for regulation and control of the erection and maintenance of advertising signs, displays, and other advertising devices in conformity with the standards established under this section.

It further provides that upon the application of any State any such agreement may, in the discretion of the Secretary of Commerce, exclude from the application of the national standards set forth in this section those portions of the Interstate System which pass through municipalities wherein the use of real property adjacent to the Interstate System is subject to municipal regulation and control, or which traverse areas where the land use is clearly established by State law as industrial or commercial.

This section further provides that any section of the Interstate System so excluded from the application of the standards provided under authority of this section shall not be considered in computing the increase of the Federal share payable because of the control of advertising on the Interstate System.

Provides that if an agreement to control advertising is entered into between the Secretary of Commerce and any State pursuant to this section before July 1, 1961, the Federal share payable on account of any project on the Interstate System within that State provided for by funds authorized under section 108 of the Federal-Aid Highway Act of 1956 to which this new national policy shall apply shall be increased by one-half of one percent of the total cost



thereof. This in effect would increase the Federal share for payment on the Interstate System to 90½ percent. It is further provided that the increased one-half percent shall be paid out of any money in the Treasury and not otherwise appropriated.

Authorizes the Secretary of Commerce to enter into an agreement with any agency having jurisdiction over lands and reservations of the United States which are public in nature and adjacent to the Interstate System to carry out the policy set forth in this section. It further authorizes and directs any such agency to fully cooperate with the Secretary of Commerce.

Provides that whenever a State shall acquire by purchase or condemnation the right to advertise or regulate advertising in an area adjacent to the right-of-way on a project of the Interstate System for the purpose of carrying out the policy set forth in this section the cost of such acquisition shall be considered as a part of the construction cost of the project with the limitation that Federal funds not in excess of 5 percent of the cost of the right-of-way for such project may be used to reimburse the State for the acquisition of such adjacent area.

Thus, this bill offers Federal financial assistance to the people of any State, who, through their State government, want to protect the strips adjacent to the Interstate System from indiscriminate encroachment by billboard signs. There is no imposition of any Federal controls, but this leaves it up to any States or States to decide upon their own if they shall enter into agreements with the Secretary of Commerce to control and regulate the roadside strips; and if they agree, they would be entitled to an extra one-half percent above the 90-percent Federal share of the cost of the interstate highway for those stretches that are so protected.

The decision whether to act, and through what means, is left to the individual States. Some State governments have found that they can control billboards and other roadside development by direct laws and regulations. They may continue to do so and qualify for the one-half percent incentive bonus provided in this bill. Other State governments may wish to purchase the legal right to such controls under State laws, legal rights such as acquisition of protective easements or the purchase of advertising rights, in conjunction with buying the Interstate Highway rights-of-way themselves. They may follow this approach under the bill and include the added costs—up to 5 percent—in computing the reimbursable Federal share. Some State governments may not wish to participate in any plan of roadside protection. This bill will not touch them. So in this bill there is no Federal compulsion with respect to the highways in any State. There is only an offer of assistance to any State wishing to act under its own laws to protect the Interstate Highway roadsides within its borders.

In this, I feel, the Federal Government also has an interest and a responsibility in encouraging the States to take

such protective measures to safeguard and preserve the scenic aspects along the Interstate System.

The Congress has in its initial Highway Act of 1956 laid down certain criteria and standards to be followed in the construction of the gigantic Interstate Highway System.

First, for example, we made it very clear that access shall be controlled and limited. We thus denied some property rights and personal rights when people could get across the System only at certain specified points determined in agreement between the States and the Federal Bureau of Roads; even a farmer, in many instances, cannot get to his field on the other side of the road unless he crosses at a certain designated access point of our choosing.

Next, we have prohibited any business activity on the right-of-way. Even provision for gas stations, restaurants, and rest stations have been held in abeyance and some future determination of control and limitation on this will be made by Congress.

Congress clearly indicated intent to regulate and control or limit the weight, size, or length and width of trucks which will use the Interstate System, and a commission is now underway making a study of what the specific figures shall be recommended to the Congress.

Now we come to the question of controlling advertising on the properties adjacent to the highways. The Federal Government is going to spend over \$37 billion collected from the highway users of America, just for the Interstate System alone. The highway user who is making this terrific investment has a right to get some protection of the roadside areas. The courts have affirmed the power of the people, through their governments, to protect their investment in the public highways. Esthetic and scenic values, as well as safety, economy, and efficiency, have been recognized as proper and legitimate areas for control to provide such protection.

As a measure to protect the interests of the traveling public in the appearance of and the view from the new highways being built with their taxes, this section is a modest one and still leaves plenty of room for use of and the expansion in the use of billboard signs, which do have a purpose and function and can serve it well in the proper areas.

The exclusions in section 12 would not affect the use of outdoor advertising where it now exists on rights-of-way on routes of already existing roads to be included in the Interstate System. Based on the section 108 (d) studies submitted by the Secretary of Commerce to Congress on January 7, 1958, approximately 9,500 miles of rural location and most of the 4,568 miles of urban location will not be affected by section 12. While I have always been a strong supporter of programs to preserve and protect the scenic and aesthetic aspects of the system, I never did believe that it was realistic or fair to completely ban all advertising from the roadsides. And as the above figures show, there will be plenty of space for advertising along about 14,000 miles of the Interstate System, or roughly about

one-third of the total 41,000 miles. In addition to being permitted on about one-third of the Interstate System, such outdoor advertising can still continue as at present, under State laws, on the entire rest of the Federal-aid system of highways and roads, totaling about 735,000 miles. So, of the total of some 776,000 miles of the entire Federal-aid system, only some 25,000 miles on the Interstate System will be affected by section 12.

This is truly the least we can do to protect the remaining stretches of scenic highway of the Interstate System yet to be built. Thus, the mileage to be placed under control, and the means of working out the agreements with the States, are most modest.

The estimated maximum cost of section 12 is approximately \$161 million. This is based on the estimated cost of constructing the Interstate System on 24,000 miles of new rural locations. The cost of constructing the system along these 24,000 miles is estimated at \$18½ billion. The increase in the Federal share due to section 12 to control outdoor advertising along this mileage is \$93 million. The estimated total right-of-way cost for locations is \$1.374 billion, while the Federal share up to 5 percent of the cost of this right-of-way is equal to \$68 million. These cost figures include both old and new location in rural areas, so the cost is a most modest one.

This is very little to invest to protect the enormous investment of the driver himself in the gigantic Interstate System, which will serve generations of drivers and their families.

Americans in our time have become a traveling people, and we travel largely by private automobile. With the prospects for greater leisure time, this will be even more true of the coming generation, for whom we today are planning and building this magnificent road system.

This remaining stretch of the Interstate System, is our last chance to develop and preserve scenic and beauty values and areas adjacent to modern expressways.

The Interstate System is expected to be completed by roughly around 1975. By that time our rapidly increasing population will number between 225 and 230 million persons. The automobile population likewise, will skyrocket from the current approximate 65 million vehicles to about 100 million vehicles in 1975.

Of this explosive population growth, about 97 percent of the increase will occur in urban areas. The pressures of work and of population will be heavy to get out into the open spaces, and with more people traveling more miles per capita than ever, the Interstate System will be not only a means for high-speed travel, but it will be a major access to the scenic grandeur and beauty of America. To preserve this and pass it on to the next generations, is the goal of section 12.

As I said in the opening statement, I do so regret that the House Public Works Committee did not have an opportunity for full hearings and consideration of this and other sections. However, the major weight should be given to the



fiscal sections of this bill so that we can really get this most massive public-roads undertaking of all time in high gear and really on the road. I earnestly ask the House to accept the conference report and reject any motion to recommit, which would only seriously delay the program.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from New York.

Mr. KEATING. Mr. Speaker, I share the gentleman's views about this billboard amendment. I am very anxious to see some provision similar to the one that has been written into this bill incorporated in the final measure.

I wonder, however, how many other Members are worried, as I am, about other features that have been added by the other body with which we do not agree. I am particularly disturbed by this new approach of allowing a Federal grant of 66⅔ percent on certain of these highways. It seems to me that it sets a bad precedent for the future. Would the gentleman deal with the quandary in which I am sure there are others besides myself?

Mr. BLATNIK. I shall try to answer that, although the gentleman from Maryland is the best informed man on all fiscal provisions.

First of all, that section carries for only 1 year, and the purpose of that is to make the money quickly available to the States that are ready to proceed on stretches of their Federal aid systems. Those are States that do not have enough State funds to match the Federal funds. Then this money is deductible from future apportionments. This is merely an advance to help accelerate whatever projects the States may have ready for construction.

Mr. KEATING. In other words, do I understand that it provides that in future years it can be averaged out so that on the overall basis the Federal grant in and will only be 50 percent?

Mr. BLATNIK. That is correct. This amount that is provided for this year under the 66⅔ provision is deducted from the future apportionment which will be on a 50-50 basis.

(Mr. KEATING asked and was given permission to revise and extend his remarks.)

Mr. KEATING. Mr. Speaker, on balance and in the light of the statements made by the gentleman from Maryland [Mr. FALLON] and the gentleman from Minnesota [Mr. BLATNIK] I believe this conference report should be adopted. There are features in it I do not like, especially the departure, even on a temporary basis, from the 50-50 matching formula.

But the provision relating to billboards which has been the principal subject of discussion and bone of contention represents a reasonable and sound approach to a highly controversial issue. It recognizes the interest of which I am convinced is the great majority of the public in seeing that this great highway system not only makes the cities of America more accessible to all her citizens, but opens up the natural beauties of the countryside to uninterrupted view.

But this provision does not dictate any policy to the States. It gives ample recognition to the fact that, while the Federal Government is contributing the lion's share of the funds, the States also have a substantial pecuniary interest. Each State is simply offered an incentive to go along with reasonable regulations formulated by the Federal Government. The final decision rests with the people of each State through which these highways will pass.

This is by no means a scheme to buy off the States which may favor the unrestricted erection of billboards. In offering to shoulder a greater share of the financial burden for these States, Congress merely offers to act upon its conviction. An expression of policy, without more, would be an empty gesture. Some incentive must be given the States. And the inducement offered by this provision certainly is not so great that no State can find it more profitable to refuse it.

Mr. Speaker, we are about to appropriate a great deal of money for what can be the most beautiful highway system in the world. We all know how disconcerting it can be to drive through the countryside only to face one commercial eyesore after another. On the other hand, most of us have experienced the job of traveling through our States able to witness all the beauties this land has to offer. The modern Thruway in my State of New York affords this opportunity because the people of my State favor the very policy this provision would adopt as a Federal policy. I am sure that the majority of the citizens of every States will feel the same way.

The choice is clear. It is not whether we in Congress wish to extend the control of the Federal Government into the States. It is whether we will take this opportunity to express a national policy which will encourage the States to help make this highway system the most majestic in the world.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, like my colleague the gentleman from New York [Mr. KEATING], and like the gentleman from Virginia, my colleague Congressman GARY, I am disturbed about some of the various provisions of this conference report beside the question of whether or not we can satisfactorily settle the billboard matter. There are changes in the bill, changes as to the formula which I, as an individual Member of Congress, have never had the opportunity to express myself on. There are some of these other changes under which we would be doing something wholly apart from what we thought we were going to do when we passed the House bill. Mr. Speaker, I recommend that this conference report be recommended so that we may have the opportunity here in the House to thoroughly discuss and consider every angle of this very involved matter.

Mr. FALLON. Mr. Speaker, I yield 1 minute to the gentleman from Maine [Mr. HALE].

Mr. HALE. Mr. Speaker, I thank the gentleman for yielding to me.

I want to urge the adoption of this conference report. To me it would be unthinkable for this conference report to be rejected for reasons largely technical. It would cause an indefinite delay in the much-needed construction authorized under this program.

I feel particularly deeply about the billboard amendment to this bill, which I think is a very salutary and necessary amendment. I have three billboard measures pending in the House. I regret that there was no opportunity to consider these. However, the whole billboard matter was very extensively considered and debated in the other body.

Mr. Speaker, I sincerely hope this conference report will be adopted.

In urging this action, I realize that the billboard provision has not had the benefit of the normal hearings and consideration in committee. But I believe the circumstances warrant bypassing this procedure. Let us consider the following facts:

First, time is running out on efforts to control billboards on the 41,000-mile Interstate System. The Bureau of Public Roads reports that 3,481 miles were either completed or under construction by January 31 of this year. If appropriate legislation is not passed, these roads and those to be constructed will soon be lined with unsightly and garish billboards. This is exactly what is happening now in the beautiful State of Maine, which annually attracts thousands of tourists because of its climate and unrivaled scenery. Maine's first stretch of Interstate Highway, located between Freeport and Brunswick in my congressional district, is already being defaced with billboards. The tourists who spend \$200 million in Maine each year certainly do not come to gaze on toothpaste and beer ads.

Second, the public is demanding action now, not some time in the future when it is too late. I have received more spontaneous mail on this subject than any other during my entire 16 years in Congress. Most of this mail has come unsolicited from the public, not from lobbies and pressure groups. I pay a great deal of respect to that kind of mail. This public sentiment has been verified in a nationwide poll and by countless newspaper editorials throughout the country.

Third, Congress has an obligation to insure the efficiency, safety, and beauty of this public investment. As representatives of all the people, we are expected to legislate in the public interest. The people obviously want safe, efficient, and scenic interstate highways. It is up to us to make sure they get them.

Fourth, although this legislation has not been considered by a House committee, it was subjected to long and exhaustive hearings in the other body in each of the last 2 years, and a lengthy debate on the floor of the other body last week. The merits of the legislation were clearly shown at those times.

Fifth, this legislation has the strong support of both parties, including President Eisenhower and former Governor Adlai Stevenson, titular head of the Democratic party. The vote on this bill in the other body was a nonpartisan



vote. The vote which saved the amendment was almost evenly split between Democrats and Republicans.

These are the facts which speak so strongly for the adoption of the Senate amendment. The only objection I think could honestly be made is that the amendment is not strong enough.

Last year I introduced a bill which would have withheld all Federal highways funds from States not banning billboards on interstate roads. This probably would be the only 100 percent effective way of protesting our highways. But the question of States rights made it unlikely to be passed, so this year I introduced legislation embodying the carrot rather than stick approach. That bill would have provided a three-fourths of 1 percent incentive payment.

The amendment before us today has been watered down even more. It provides for an incentive payment of only one-half of 1 percent. It does not cover interstate highways constructed before July 1, 1956. It allows billboards within 12 miles of business establishments. In other words, the process of compromise has removed many of the teeth from this legislation. There are many loopholes. For example it is estimated that from 30 to 35 percent of what will be the Interstate System, was constructed before July 1, 1956, and thus will be open to even more billboards than may already exist.

But in spite of the weaknesses in this legislation, I strongly support it. It is better to have some controls than to have none at all. That is what we are faced with if we disagree to the conference report. Even if the legislation will not be 100 percent effective, it will do some good. The incentive payment undoubtedly will encourage many States to act. For example, for the first time in history, the State of Maryland passed an antibillboard bill this year, probably in anticipation of a several million dollars bonus it will receive as a result. Other States will do the same.

Of course this legislation has drawn strong objections, even in its present state. The billboard lobby is still crying States rights, although in this case the States are entirely free to accept or reject billboard controls and the resulting bonus payment. The lobby also has raised the issue of job losses. Yet how can jobs which do not now exist be lost? We could create jobs by having people dig holes in the pavement of our highways. But certainly the highway users would object. Why add a handful of jobs involved in putting up billboards which are just about as much of a detriment to interstate highways? The billboard industry will have plenty of room to expand on the primary and secondary roads, which also are being increased.

Another objection has been that motels, restaurants, and other roadside businesses will be wiped out or ruined by not being able to advertise. This could hardly be true. In the first place, since these are to be limited access highways, there will be few establishments on the roadway. Those which are can advertise within 12 miles. Those which are

located off the highways at access points can advertise as authorized by the State in accordance with the interest of the traveling public.

In short, this legislation is the minimum Congress can do to protect this multi-billion-dollar public investment. The only opposition to the bill is the extremely selfish opposition of the billboard lobby.

(Mr. HALE asked and was given permission to revise and extend his remarks.)

Mr. FALLON. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. CURTIS].

(Mr. CURTIS of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. CURTIS of Massachusetts. Mr. Speaker, I favor the motion to recommend this bill to the committee of conference. This bill has been so changed since it was before the House that I can no longer support it.

In my opinion the Congress is moving too far and too fast in its provision for highways. This bill adds about \$1.3 billion to an already enormous highway program.

It may be doubted whether this bill will put as many people to work as has been claimed. Consider the amounts now available to the States for highway work as shown by the table on page A3093 of the CONGRESSIONAL RECORD of April 1, 1958, inserted by the Congressman from New York [Mr. KEATING].

This bill will raise inflationary pressures not only for the present but for the future.

It assigns too high a priority to what this country is doing for highways. Let us remember that there are other critical needs facing this country at this time, needs for defense, needs for science and education. We are going too far and too fast in support of the objectives of this bill.

I now quote from the remarks of the distinguished Senator from Virginia [Mr. BYRD] on this bill while it was before the Senate. He stated that one of his objections was that "It would destroy the pay-as-you-go policy for Federal highway aid established by the Highway Act of 1956, which set up the road trust fund to assure that Special taxes on highway users would be used for highway construction."

Mr. Speaker, the new provision added by the Senate increasing the Federal share of matched grants for ABC highways from 50 percent to 66⅔ percent is highly objectionable. This new provision applies to a \$400 million appropriation for ABC highways added by the Senate.

Matched grants on the basis of 50 percent Federal and 50 percent State have been the rule for many years in appropriations for the ABC highways, which are the primary, secondary and urban roads.

To change this basis from 50-50 to two-thirds Federal and one-third State is most unfair to many sections of the country. Even under the 50-50 matching, the more thickly populated, more highly Federally taxed areas have suf-

fered. This is due to the formula under which the money is divided up among the States, which gives almost equal weight to area, road mileage, and population. A State like Massachusetts gets back in Federal grants for ABC highways a proportionately smaller share of the money contributed by its taxpayers to the Federal Government for highway construction than do many other States.

This inequality is of course greatly increased when the matching basis is changed from 50 percent Federal and 50 percent State to ⅔ percent Federal and ⅓ percent State.

Federal grants in aid for highway construction were originally intended to help to build roads of national importance. The Federal money was provided out of an appropriation for post offices and post roads. But this program has naturally been popular in many areas, and the tendency has been constantly to extend it, both in the amounts of money appropriated, and in the types of roads covered.

Under a Senate amendment the States were permitted 100 percent transferability of the new funds as between primary, secondary and urban roads.

When Federal aid was confined to post roads and the matching basis was 50-50, some inequality in distribution was tolerable. It becomes much more burdensome when the matching basis is ⅔ Federal and ⅓ State. And it becomes yet more burdensome when these funds are made applicable not just to post roads and through routes, but to roads that are primarily of local interest. With unlimited transferability permitted, these funds can now be used predominately for such roads. This places an unfair burden on some of the States.

While sectional interest should not be overemphasized, the taxpayers of the more thickly populated States should not be asked to contribute on a basis of 66⅔ percent Federal grants for aid given under these provisions.

This new matching grant basis should not be accepted. We should continue with the 50-50 sharing which has been in effect for so many years.

It is desirable and necessary that the Federal Government take part in the financing of post roads and through routes. In this way the States having large needs for such highways and less ability to pay are in effect aided by States having lesser needs and greater ability to pay. But it is unsound, un-American and contrary to the proper relationship between the States and the Federal Government to have this sound principle carried further than is required for the above purpose.

The late Senator James W. Wadsworth, of New York, in an article on the Federal aid system said:

There may be some functions performed under it which can be done better by the Federal Government than the States. But I do believe that it could and should be radically curbed, both in the interest of economy and sound policy, and that steps should be taken to place a check upon its growth before it undermines our whole system of dual sovereignty of the State and Nation.

But questionable as these features of the system are, the most dangerous phase of it in my opinion is its tendency toward the



breaking down of the principle of local self-government, and the creation of an all-powerful Federal bureaucracy.

It is interesting to note how greatly the present practice of distributing Federal funds to the States conflicts with fundamental principles enunciated by past leaders of our country. Over 100 years ago the Federal Government not only had a balanced budget but had a sizeable balance on hand from the proceeds of sales of public lands. It was proposed that this money be distributed to the States. Both Daniel Webster and John C. Calhoun vigorously opposed this.

Webster proposed that the money be put to a different use, saying:

This, in my opinion, would be a less evil than that extraordinary and dangerous state of things in which the United States should be found laying and collecting taxes for the purpose of distributing them when collected among the States of the Union.

John C. Calhoun, speaking in Congress, said that he "dreaded the force of precedent; the time would come when the example of the distribution of the proceeds of the public lands would be urged as a reason for distributing the revenue derived from other sources."

Mr. Speaker, I urge that the conference report be recommitted to the Committee on Conference.

Mr. FALLON. Mr. Speaker I yield 3 minutes to the gentleman from Illinois [Mr. GRAY].

Mr. GRAY. Mr. Speaker, let us make no mistake about this bill. Those who advocate recommitting this bill are merely trying to stop any antirecession measures that may come before this House.

This matter of highways is no new matter. As a member of the Committee on Public Works I have debated and listened intently to witnesses since 1955 concerning the need for highways. Here is a bill before you today that is going to allow the States to put people to work. It will allow America to have the roads so badly needed and to which we are entitled.

Two years ago I stood in this very well and urged this House to vote for the 1956 Highway Act. On the day I spoke tragedy struck my family by killing my aunt and uncle on a small two-lane highway. They were going to a picnic with some Sunday-school children, a drunk pulled around from behind a truck and hit their car head on.

As I left the office this morning, I read where an 18-year-old boy from my district was found in the same circumstances.

Mr. AVERY. Mr. Speaker, will the gentleman yield?

Mr. GRAY. I yield to the gentleman from Kansas.

Mr. AVERY. Does the gentleman recall that day he was in the well of the House—I remember it very well—whether he voted for or against the bill?

Mr. GRAY. Most certainly for the bill.

Mr. AVERY. That was not the impression I had. I was quite surprised by the gentleman's statement that he had voted for the bill.

Mr. GRAY. If the gentleman will check the record, he will find out that not only did I vote for the bill, but I brought out a bouquet of roses here to illustrate my point and it was later written up in Newsweek magazine concerning my efforts in behalf of the bill.

Anyway, going on, this morning I read of an 18-year-old boy being killed in my district. He was going down a small two-lane highway under the same circumstances. Someone passed another car, or tried to, and could not make it and hit him head on. It is time that we give America the roads the people are entitled to. It is time that we stop this slaughter on the highways of America. Let us stop letting the tail wag the dog. This matter of the billboards is aside from the true facts of this legislation. We need an expanded highway program. I talked with the chief highway engineer of the State of Illinois last night. He told me that 25,000 new jobs will be created if this bill is passed today. In addition, many engineering surveys are already completed and ready. We can let contracts immediately. So let us get on with this and quit haggling about little things that amount to nothing. Give us the roads and jobs that the country needs. Let us stop this slaughter on these small highways.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. GRAY. I yield.

Mr. CRAMER. No one wants highways any more than I do and any more than the minority does. I have been one of the staunchest supporters of the interstate and ABC highway programs. The majority leader has indicated that, so far as this bill is concerned, he would have much preferred to have more time to consider it. No one is in opposition to the purposes of this bill as it relates to spurring employment. I think that should clearly appear in the RECORD. The question I wish to ask the gentleman is: Is it not true that the issue facing us is just simply this: Must we vote today on a bill which even the majority leader admits there has not been an adequate opportunity to consider in conference, and no opportunity to consider before our Public Works Committee; or can we afford to wait another 30 days and get, perhaps, a better bill back here? Now, I ask the gentleman with regard to that, is it not true that at the present time, as of February 28, as is reported to the Committee on Public Works in our hearings, there is a present uncommitted, unprogramed balance of \$1,164,827,000 on the interstate program and \$651,387,000 on the ABC program, and, therefore, no real emergency consideration of this bill is as justified as has been represented?

Mr. GRAY. Is the gentleman making a speech or asking a question?

Mr. CRAMER. I am asking a question.

The SPEAKER. The time of the gentleman has expired.

Mr. FALLON. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas [Mr. GEORGE].

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. GEORGE. I yield.

Mr. CRAMER. I thank the gentleman.

I would like to ask what I believe to be a crucial question in this matter of the distinguished chairman, the gentleman from Maryland [Mr. FALLON]—the question I asked the gentleman from Illinois [Mr. GRAY]. Is it not true that there is presently \$1,164,827,000 in the Interstate System unprogramed and and \$651,387,000 in the ABC unprogramed, and if that is true, why must we consider this legislation on an emergency basis at this time rather than to work for a better bill that would be considered a few days after the recess.

Mr. FALLON. If the gentleman will check the figures, he will know that I used that same figure on the Senate side when we were in conference, and I was told that this money, the \$400 million, can be put in areas where they are in distress and where the money is very much needed, and that the ABC money for these areas has run out or will be all programed by July 1.

Mr. CRAMER. Mr. Speaker, will the gentleman from Kansas yield to me further?

Mr. GEORGE. I yield.

Mr. CRAMER. Is it not true again as to where this money is allocated and where there are workers in distressed areas that that is a question strictly within the jurisdiction of the State road department?

Mr. FALLON. That is correct.

Mr. CRAMER. And is it not true, if the State road departments were inclined to put this unprogramed money in distressed areas, all they have to do is to put it there and there may be little or no need for any additional Federal money because this unspent money between now and the time it would take to confer further on this report which they have at the present time can be used?

Mr. FALLON. The gentleman is claiming that there is no need for additional money to be spent at this time, but all the testimony in the other body shows clearly that there is a need for additional money to be spent in the many counties of the United States at this time.

Mr. GEORGE. Mr. Speaker, this is my first experience as a conferee. It has been an enlightening experience especially when we go into conference with the House having worked its will on a piece of legislation. There seems to be some disturbing opinion about the fact that the bill provides two-thirds Federal participation and one-third State participation on the \$400 million that goes out in the States, that may reach into every congressional district in the United States. Most of the people who are disturbed about that feature are the ones who receive the benefits of this interregional system. In addition to expanding this highway program \$400 million on the ABC system in the first year there is \$200 million added to the interregional system and the second year \$300 million.

The SPEAKER. The time of the gentleman from Kansas has expired.



Mr. FALLON. I yield the gentleman 1 additional minute in order to ask him a question.

Do I understand the gentleman from Kansas is for the emergency fund and the formula under which it is to be distributed?

Mr. GEORGE. I intend to support the bill that is now on the floor. It is not exactly what I would like to have. I think our committee could have done a much better job if we had a chance to work our will.

Mr. FALLON. I understand also that the gentleman said the money that is advanced to the States under the law will be paid back under future allotments?

Mr. GEORGE. That has been in the bill. It requires that.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentleman yield?

Mr. GEORGE. I yield.

Mr. FRELINGHUYSEN. Mr. Speaker, the discussion here today on the merits of accepting this conference report has revealed that Members are sharply divided on certain provisions in this bill. Ideally there might be further consideration given to these provisions, concerning some of which many of us have reservations. Most of us would probably agree that this is not an ideal way to legislate. However, I do not feel we could get a better bill by sending it back to the conference committee.

I personally feel that this conference report should be adopted. In my opinion the merits of the bill outweigh its weak points. Its adoption will accelerate a program of tremendous value to the Nation.

I recognize that others will feel these matters need further consideration. Therefore I cannot agree with the contention that those who vote to recommend will be opposing the highway program itself, or will be refusing to back an important antirecession measure. In fairness, I think we should frankly admit that this measure could be improved. Sending it back to conference, however, is not likely to alter it much and I trust that a majority will agree with me that the merits of the bill outweigh its weaknesses.

Mr. Speaker, before concluding, I should like to mention one provision in the Highway Act of 1956 about which I have reservations. Section 112 of that act provides that no service stations or other commercial establishments for serving motor vehicle users are to be constructed or located on the rights of way of the Interstate System. If this provision cannot be modified in some way, motorists may be seriously inconvenienced. Furthermore, local and State highway connections at various interchanges may be heavily overloaded with passengers turning off temporarily to stop at service stations.

In New Jersey a plan was developed in 1946 with respect to service areas which has worked well. After deciding on suitable locations for gas stations, additional land was acquired, properly designed exist and entrances were built, and sites were prepared under the construction contract.

After construction, these sites were sold at public auction. Each purchaser agreed to certain conditions of sale, restricting, for example, the type of buildings which could be constructed, and insuring competition between various operating companies. Being privately owned, these areas come under the ratable structure of the community in which they are located. The sites have been so located that screening planting keeps the service stations from being readily visible from the highway. Despite heavy traffic, these stations have been so designed that the chances of accidents are minimized.

By encouraging convenient, privately owned facilities the State has been relieved of the necessity of providing its own facilities and of policing these facilities, and it has not been necessary to concentrate such facilities at the major interchanges.

The Bureau of Public Roads seems to feel that Congress, by enacting section 112, has taken a position inconsistent with a program which has proven successful in New Jersey. They recognize that experience may eventually lead them to recommend a change in this policy, if time proves that motorists cannot be adequately served with the present restrictions in effect. The only trouble with this position is that there will be an immediate necessity for gas service, restrooms, and telephones. If, for example, we build 50 or 60 miles of an interstate highway without such facilities, we should not be required actually to experience the difficulties which would result. Our commonsense should tell us that more needs to be done to consider the comfort, convenience, and safety of our motorists.

Mr. FALLON. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Speaker, I rise in support of this conference report. We have to consider the report on its merits as it appears before us at the present time.

I would like to comment on a section which has not received any comment up to this time but I think is a vital section of the bill, and that is section 8.

Under section 8 of this bill the needs formula for the allocation of Federal Interstate Highway System funds will go into effect with the allocations for the fiscal year 1960. This needs formula is something for which your roads subcommittee has been fighting for a number of years. In the bill that was passed by this body in 1956 and brought to the floor by the House Public Works Committee we had provided that the needs formula should go into effect immediately for the Federal Interstate Highway System. However, at that time the bill which was passed by the other body did not provide that formula and used the old formula of allocation on the basis of population, area, and post roads. As a result, the conference report 2 years ago, which became the Federal Aid Highway Act of 1956, was a compromise on the issue, saying that the old formula would be used through fiscal year 1959, but that beginning in 1960 the needs formula would go into effect.

Your committee has been fighting to obtain this formula for a number of years, because this is the only formula that will actually complete the Federal Interstate Highway System at one simultaneous time.

Mr. FALLON. Mr. Speaker, will the gentleman yield?

Mr. BALDWIN. I yield.

Mr. FALLON. Does not the gentleman agree with me in the statement I made in the conference, that this formula should be extended for 3 years, and that we were limited to 1 year because we could not expand the figure in conference. Does not the gentleman agree that it should be for a 3-year period?

Mr. BALDWIN. I fully agree with the gentleman.

Mr. MCGREGOR. Mr. Speaker, will the gentleman yield?

Mr. BALDWIN. I yield.

Mr. MCGREGOR. Is that not another reason why this bill should go back to conference?

Mr. FALLON. If the gentleman will yield, the subject matter the gentleman is talking about was adopted in this House in 1956. We are still limited to the 1-year rule.

Mr. MCGREGOR. If it goes back to conference we can bring the subject up for general discussion. Will the gentleman not agree to that?

Mr. FALLON. I think we had it up for general discussion when we were in conference. I suggested that it should be on a 3-year basis rather than 1 year, and I was told that we were limited to 1 year only in conference.

Mr. MCGREGOR. But the gentleman did not make a motion to make it a 3-year period.

Mr. FALLON. I would have been out of order had I made such a motion and I was told so.

(Mr. BALDWIN asked and was given permission to revise and extend his remarks.)

Mr. FALLON. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. WAINWRIGHT].

(Mr. WAINWRIGHT asked and was given permission to revise and extend his remarks.)

Mr. WAINWRIGHT. Mr. Speaker, I would like to agree with the gentleman from Kansas [Mr. GEORGE], and say that this is not a perfect way to legislate. However, in the 6 years that I have been privileged to serve in this body we have passed an awful lot of bills that have not been legislated perfectly. We have done it here on the floor of the House of Representatives. These laws, admittedly not perfect, have helped the people.

I represent a wonderful area on Long Island, N. Y. It is a narrow, 100-mile strip filled with roads. Frankly, it is a billboard jungle. New York City may have its blackboard jungle, but we have a billboard jungle. Here we will be making an attempt, a small attempt, a rather weak and pitiful attempt in the right direction. What a shame that pressure has been exerted by powerful and wealthy lobbies and by people in high places to defeat the anti-billboard philosophy of this bill.



Mr. Speaker, I yield back the balance of my time.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FALLON. I yield.

Mr. GROSS. I just want to say to the gentleman from New York [Mr. WAINWRIGHT], that I have not been pressured upon this bill and I resent his imputation that Members of the House have been lobbied and high-pressured as he said they have been.

(Mr. GROSS asked and was given permission to revise and extend his remarks.)

Mr. FALLON. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. ROOSEVELT].

(Mr. ROOSEVELT asked and was given permission to revise and extend his remarks.)

Mr. ROOSEVELT. Mr. Speaker, those who oppose this conference report are in essence trying to delay the spending of funds that would be used directly to fight the growing depression. The effort by some to say that a smile a day will chase the depression away is a cruel joke on the ever increasing human tragedies that are taking place across our country. Today's New York Times carries a story, as follows:

The number of workers drawing unemployment insurance in this city rose by nearly 10,000 last week, the largest increase since the beginning of the year.

Officials predicted that the situation would get worse in the next few weeks as a result of post-Easter layoffs in the apparel trades, New York's principal industry.

Gloomy employment news came from other major centers, despite White House hopes for a seasonal upturn in jobs. The Labor Department's chief manpower expert reported that the national unemployment total for March would show an increase of about 200,000 over the February figure of 5,173,000.

The estimate was made in St. Louis by Seymour L. Wolfbein, head of the Division of Manpower and Employment Statistics of the Federal Bureau of Labor Statistics. It contrasted with a statement Monday by James P. Mitchell, Secretary of Labor, that he did not expect the March figure would be much different from the previous month's total.

A further rise in unemployment insurance was reported in Chicago, Boston, Cleveland, Philadelphia and Los Angeles. Other key industrial centers showed a leveling off in joblessness, but no pickup.

Who can read those words and doubt the very real seriousness of what our Nation faces?

Much as many of us would want the House to give direct consideration to the provisions of this conference bill originating in the other body, the fact is neither we nor our committees can do so. Those who have read the evidence presented on the other side of the Capitol agree it fully justifies what we are now asked to approve. Let us do so wholeheartedly and convincingly. The country looks to us for leadership and understanding for it is getting only hesitation and optimistic platitudes from the executive branch.

Mr. FALLON. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. RIEHLMAN].

(Mr. RIEHLMAN asked and was given permission to revise and extend his remarks.)

Mr. RIEHLMAN. Mr. Speaker, I am not happy with the manner in which this legislation has been presented to the House today for action without having ample time for the Members to thoroughly debate the changes that were made by the Senate when it substituted the provisions of S. 3414 for the bill that passed the House.

Additional time certainly is needed to provide an opportunity to discuss the important changes, such as the revision in the formula for primary, secondary, and urban roads, and the inclusion of provisions for the Interstate System.

I know that during my 12 years of service in the Congress, we have acted on legislation—possibly much less important legislation—in this same manner, but I cannot say that this procedure meets with my approval.

However, I cannot see where we would accomplish anything by recommitting this report to the conference committee.

There is a need for expeditious action on this legislation so that we may be able to get some of our vital road programs off dead center, such as in my State, and in other States as well.

Therefore, I feel compelled to vote against recommitment.

Mr. FALLON. Mr. Speaker, I yield such time as he may desire to the gentleman from Texas [Mr. WRIGHT].

(Mr. WRIGHT asked and was given permission to revise and extend his remarks.)

Mr. WRIGHT. Mr. Speaker, I favor most of the general purposes and most of the principal provisions of this legislation. It seems clear, however, that we are involved in an irregular procedure. The other body has so amended the bill originally passed by the House that it bears only the most superficial resemblance to that measure on which the House acted.

The Senate attached, and the conference committee agreed to, a number of extraneous provisions which by right should have been the subject of separate legislation. At least, the regular procedure should have been followed and the House given an opportunity to consider these matters in the regular deliberative process and to work its will.

These extraordinary provisions authorize among other things additional deletions from the highway fund for other than roadbuilding purposes. It seems to me that we should be very careful about allowing such expenses to come out of this fund. At the very least we should have such matters fully discussed in the Public Works Committee of the House and understand exactly what effect they will have upon this fund before summarily approving them.

I am not unmindful of the need for moving with deliberate speed in getting useful and constructive public works underway in the present national economic climate. Yet there is no need so very urgent as to allow ourselves to be stampeded into taking inadequately considered legislation simply to save a few days.

It would seem logical to me that, if this motion to recommit should be adopted, the conference committee could delete these more technical and controversial matters, bring the bill in its main provisions back to us within a few days, and let us approve it. Thus work could be authorized and underway. Then, these extraneous features could be taken up in the regular way as separate legislation and the House could work its will on each in turn.

Mr. FALLON. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. DORN].

(Mr. DORN of New York asked and was given permission to revise and extend his remarks.)

Mr. DORN of New York. Mr. Speaker, I agree with the gentleman from New York [Mr. WAINWRIGHT] and I do not believe this bill is perfect but I am supporting it.

One of the prime blessings of the National System of Interstate and Defense Highways is the absence of stop lights. They are so planned and constructed as to give the motorist the maximum safety and the minimum inconvenience. Should we not, therefore, as we appropriate millions of dollars for further construction, protect the natural beauty of the country side and give lie to the heading of a recent cartoon: "Coast to Coast Without Seeing a Stop Light—or Anything Else."

The reason we cannot see "anything else" of course being the pleas to buy "Burp's Pills" for indigestion or "Glop Hair Oil" strung end to end along the highway shoulders. They mar the beauty of our roadsides and menace the safety of motorists. The rural vistas require no enhancement by pictures of pretty girls. Drivers of our modern high-powered cars are better undistracted.

To prevent the erection of the billboards would not be depriving the advertisers, who play a vital role in our economy, of necessary display sites. Certainly the media of radio, television, newspapers, magazines and other devices are ample and equally effective. But I do not believe the Federal Government should be party to making the driver a captive audience.

The 41,000 miles of highways, of course, do not go through my Brooklyn district. But the residents of the district have in great numbers informed me of their deep concern with the maintenance of high standards of beauty and safety on them.

I would like to bring to the attention of my colleagues some of their comments.

One woman wrote:

My friends and I feel strongly that the scenery on our highways should remain as it is, and not be made the tool of commercial interests.

Another:

The billboards are generally pointless, often creating driving hazards and certainly defacing the countryside.

Still another:

I believe that drastic legislation should be passed to prevent the further desecration of our beautiful scenery. I find it disgusting to have my scenic view blocked.



They all ask why our lawmakers cannot do anything. Of course we can. Their tax dollars are helping to construct these roads and there is no tenable reason why their wishes and interests should not be considered. They will continue to buy nationally advertised wares even if not reminded to do so while motoring across the land. In their name, I earnestly ask positive action to permit us a hazardless, happy drive "coast to coast without seeing a stop light," but seeing everything else our beautiful country displays.

Mr. FALLON. Mr. Speaker, I yield such time as he may desire to the gentleman from Florida [Mr. CRAMER].

(Mr. CRAMER asked and was given permission to revise and extend his remarks.)

Mr. CRAMER. Mr. Speaker, I have attempted in the debate today to point out that there are unprogramed funds presently available in both the Interstate and ABC Systems and according to information presented to our Public Works Committee this money could have been used in the past to create more jobs. It has been of concern to many of us who have been so vitally interested in the highway program and the action taken under the 1956 act that the States seem in many instances to drag their feet in getting the program underway in full force.

All the States that testified before our committee when the 1956 act was under consideration indicated that they could match the Federal funds or would make provisions for matching funds if the bill were approved. Now we see that many have not yet lived up to this moral commitment. Even some State governors are trying to blame the administration for holding onto some of the funds until contracts are completed and thus making State matching fund amounts that must be made available too burdensome. A full investigation of this has proven that this is not true—and, if any Federal program has been expedited on the national level since its inception it has been the 1956 Highway Act. Under section 6 the States can even borrow from the Federal Government some of the State matching funds to tide them over—and no such request has been denied.

The point I am making is that the States, not only under the present program, but under the accelerated program under consideration today must accept their full responsibility and get their programs fully underway. The States further have the authority to place this construction money in employment distressed areas if they so desire—in that the decision as to where the money is spent is strictly within the discretion of the State administrations. I think it unfortunate that those States complaining the loudest about distressed employment areas and asking for further Federal assistance in those areas are States that have not used all the Federal money available under the present highway act and have not, apparently, considered this program as a means of channeling jobs into these areas.

I trust that under the accelerated program, as well as the existing one, the States will go ahead and use the tools

available and help themselves to the maximum with this road program.

I am supporting the conference report, although I think the manner in which it arose without full Public Works Committee consideration in the House, is most unfortunate and legislatively poor practice.

Some of the reasons why I am supporting the bill is because it contains some provisions essential to our highway program, such as the extension of the ABC system under the 1956 act and increasing funds for that purpose by the annual \$25 million contemplated in the 1956 act; further because the accelerated program on the interstate system of \$800 million authorization over a 3-year period is the program requested by the President as a sound antirecession measure which does not require further appropriations but permits States to call upon the trust fund for more money during these years if the programs within the States are far enough advanced to permit the States to make good use of additional money.

The bill does provide for \$400 million authorization for appropriation for the ABC system acceleration during fiscal 1959 which shall be repaid by the States into the trust fund in the 2-year period following by deducting from the ABC allocations to the States during those 2 years an amount equal to that acceleration amount made available in fiscal 1959.

There is an additional \$115 million authorization for appropriation for further loans to cover the State shares in matching Federal money if the States have difficulty in providing adequate matching funds.

Thus it is seen that although there is a tremendous immediate acceleration impact on the road program of about \$1.5 billion in available highway funds, the appropriation impact is comparatively small.

I trust the passage of this bill will signal full speed ahead on this, the largest public works program in the history of the world. The administration's road program put into effect in 1956 by Congress, is a proven national necessity for safety and commerce as well as defense and its acceleration at this time further fortifies the wisdom of the President in recommending it some 2 years before Congress took action on it as an important element in stabilizing our economy.

Let us hope the States accept the challenge, accept their full responsibility and make full use of the program—particularly at this time.

Mr. FALLON. Mr. Speaker, I might say that I think the House would be wise in adopting this conference report today. We could not, in my opinion, improve on the legislation that is here before us. Some of it is new, and some of it is old. Certainly the old legislation has proved tried and true; the new legislation comes to us at a period when we are asked to proceed with as much haste as possible.

If we send this bill back to conference there will be no hearings on any of the subject matter that is in the bill; it

will come back to the House in the same manner in which it came back today. If this conference report is sent back to the committee we have no instructions from the House on any section that they want to change. We have had limited debate from individual Members who expressed their own opinions on it; hence the will of the House is not expressed on any subject in this bill.

Mr. MCGREGOR. Mr. Speaker, will the gentleman yield?

Mr. FALLON. I shall be glad to yield to the gentleman.

Mr. MCGREGOR. I certainly am sure my good friend from Maryland did not mean to say that if this were sent back to the conference committee it would be under no instruction and would come back in the same form it is now.

Mr. FALLON. No.

Mr. MCGREGOR. We have 10 members on the conference committee. I am sure it will be discussed.

Mr. FALLON. I am sorry the gentleman did not understand. I said that if this bill were sent back to conference the House Committee on Public Works would not have an opportunity to express its will on any subject; the House would not have a chance to express its will on any subject, or vote its will on any subject.

Certainly, as conferees we would come back to the House and bring in what the conferees thought the House might want, but we have no expression from the House on any subject in this bill, except what the individual members have discussed.

Mr. MCGREGOR. Mr. Speaker, will the gentleman yield further?

Mr. FALLON. I yield.

Mr. MCGREGOR. Suppose this were sent back to conference and we held hearings, it would certainly be the right of the gentleman from Maryland to call his subcommittee in session and we could invite any Member who wanted to come and give us his views. Then we would know where the House stands when we went back to conference and have some knowledge and idea of what the House wanted.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from Illinois.

Mr. ARENDS. Someone said this might come back in the same form. Let us take that statement at its face value. It would certainly not be in the same form because if we recommit the report our conferees will go back and say nothing. The House may not accept this in its present form so let us send it back and have it reconsidered. Let us recommit the conference report.

Mr. FALLON. I would like to get an expression of the House as to what the Members might like to change. We are back in the House but we have no instructions from the House. We do have the views of a few Members who have had a limited time to speak.

Mr. MCGREGOR. Mr. Speaker, will the gentleman yield?

Mr. FALLON. I yield to the gentleman from Ohio.

Mr. MCGREGOR. We certainly are not going to hold hearings over this



week. If the gentleman wants to hold Public Works Committee hearings for 2 days it will give us an opportunity to come before our Committee on Public Works and let this matter be taken up, then the conferees will have some ideas about the matter.

Mr. FALLON. That is still not an expression of the House.

(Mr. THOMSON of Wyoming asked and was given permission to extend his remarks at this point in the Record.)

Mr. THOMSON of Wyoming. Mr. Speaker, just as I have consistently supported the highway program, both interstate and primary, I am for an expansion of the highway construction program for the fiscal year ending June 30, 1959, for which provision is made in this conference report. Nevertheless, I intend to vote for the motion to recommit this conference report, if such a motion is offered. I have consistently urged upon the committee and this body the necessity for adequate provision for more forest highways. In 1956, when the Highway Act of that year was under consideration, I attempted to increase the authorization for forest highways to \$45 million. I still think that this amount or more is necessary for an adequate program.

Forest highways are an integral part of many of our most important Federal routes, and are quite frequently the most scenic. Adequate highway integration depends on good connecting links through the national forests. In providing this, even with our expanded highway program, we have been going backward instead of forward. Our failure to make adequate provision affects highway users throughout the country.

The Senate bill provided an additional forest highway authorization of \$10 million for the fiscal year ending June 30, 1959. The conference report reduces this to \$5 million. The Senate amendment further provided an authorization of \$36 million for the years ending June 30, 1960, and June 30, 1961. The conference report reduces this to \$33 million for each year. In my opinion, the funds provided by the conference do not represent a fair and proper increase in this category, even when considered in relation to the increases otherwise made. When one considers the inadequacy of present levels of forest highway construction, this is even more serious. To make our highway system adequate, we must correct this situation. I think it is obvious that in the rush of considering this bill with so many Senate changes, full consideration was not given to this most important item. The fact that the increases were cut in half would suggest that this was a hurried compromise. From talking with some members of the committee, I am convinced that if this bill is returned to conference for further consideration, then the merits of the situation can be presented, with a good chance of providing the additional \$10 million for the year ending June 30, 1959, and the authorization of \$36 million for the years ending June 30, 1960, and June 30, 1961. I am sure that other items in the bill with which I am not so familiar, but which has been men-

tioned here on the floor, can also be improved.

I will continue to support the highway program and its acceleration, but I think that the best interests of a sound highway program would be served through further consideration by the conference. I therefore intend to vote for the motion to recommit.

Mr. BURNS of Hawaii. H. R. 9821, the Federal-Aid Highway Act of 1958, as adopted by the Senate, disagreed to by the House and now recommend to the House for adoption by the conferees, continues in effect a distinct inequity to Hawaii.

The Federal-Aid Highway Act of 1956, Public Law 627, 84th Congress, appropriated greatly increased funds for the Interstate Highway System. Since Hawaii did not have roads which were a part of the Interstate Highway System, she received no funds from the moneys apportioned thereto, nor was Hawaii granted any other consideration to compensate for this lack of interstate highways. On the other hand, Alaska—included in the Federal-Aid Highway System for the first time—was given a 90-10 ratio of participation.

The provisions of title II of Public Law 627, 84th Congress, do apply to Hawaii. By virtue of the revenue provisions of this title, Hawaii is paying increased automotive user taxes in excess of \$2 million. This goes to build roads on the mainland when Hawaii's Americans are in desperate need of roads.

In order to remove this inequity, H. R. 3922, a bill to provide that Hawaii would be granted the minimum set forth in section 108 (c), Public Law 627, 84th Congress, was introduced. Said section 108 (c) contains the following:

That no State shall receive less than three-fourths of 1 percent of the money so apportioned; and one-half in the manner now provided by law for the apportionment of funds for the Federal-aid primary system.

The House Committee on Public Works, at my request, conducted an investigation of matters coming within the jurisdiction of that committee on the ground in Hawaii. On highways and highway conditions, the committee report contains the following:

Highway conditions on the islands of Oahu, Hawaii, Maui, Molokai, and Kauai, were observed by the committee members. \* \* \* None of the islands has an adequate mileage of improved highways for current demands of commercial, military, and tourist traveling.

As regards the island of Hawaii—area more than 4,030 square miles—the report points out:

Much of the mileage is substandard and in some instances the roadway is only wide enough for one-way travel. \* \* \* Similar highway deficiencies were noted on the islands of Maui, Molokai, and Kauai.

The inspection committee of the Committee on Public Works, in its summary, reports that the members are in general agreement on "participation by Hawaii to a greater extent in highway funds to bring the islands' road system to meet current and prospective needs."

I am positive that the Members of the Congress want to be fair. We of Hawaii

ask for no more than justice and equity. We realize that many times our taxes must contribute to projects benefiting the mainland. When, however, our automotive user taxes, estimated in 1955 as \$7,275,000, are increased to something like \$10 by the provisions of title II of Public Law 627 and we receive the same apportionment as that prevailing prior to passage of Public Law 627, we are convinced we are not being treated fairly. We were not being treated fairly priorly since no adjustment was made for our lack of interstate highways. Our desperate need for adequate highways for our economic and social development heightens our sense of injury.

I hope that before this Congress adjourns legislation will be passed by the Congress correcting the manifest injustice done Hawaii. The expressions of concern on the part of the Committee on Public Works of this House and of the other body are deeply appreciated and welcomed. I am sure this concern will be translated into relief for Hawaii.

Mr. DONOHUE. Mr. Speaker, this legislation, H. R. 9821, with accompanying conference report, is substantially the same as the measure, H. R. 11418, which I introduced and in support of which I submitted testimony before the House Public Works Committee recently.

The fundamental purpose of this bill is, as you know, to provide authorization for the immediate acceleration of the rate of highway construction on the Federal-aid primary and secondary road systems that is already in progress. There is certainly no dispute about the long-range economic or security value of this program.

It is, admittedly, an emergency anti-recession measure. I do not think there is much doubt in this body about the current existence of an economic recession, readjustment, transition, "slight depression," or whatever other name you please to attach to describe the alarming fact that millions of Americans are out of work. In my State and area we are unfortunately too familiar with this recession which is visiting severe economic hardships upon thousands of families whose working heads have long exhausted their unemployment compensation allowances, meager as they are and brief as they last.

It may be there are a few provisions in the bill and report that we cannot all agree upon. The fundamental fact is that by passage and initiation of the bill into action it is authoritatively estimated hundreds of thousands of creative work opportunities will be promptly developed for American taxpayers now unemployed. The economic emergency is here whether we like it or not; millions of workers are without weekly pay envelopes now; this is a sound economic recovery assistance step; we have a moral responsibility and a high legislative duty to our own people in this catastrophe. I most earnestly hope this House will promptly act without extended delay to grant the help this bill will give to so many of our citizens who are desperately in need now.

Mr. LAIRD. Mr. Speaker, I rise to protest the manner in which this legis-



lation has been considered by the House of Representatives. We realize that this bill may be the only chance we will have to consider highway legislation in this 2d session of the 85th Congress. This bill has been written on the other side of the Capitol and the House of Representatives has not been given an opportunity to revise or implement the Senate amendments. Only the conferees have had an opportunity to offer amendments.

I have been requested by the Governor of Wisconsin, the Wisconsin Highway Commission, Wisconsin County Boards Association, and the Wisconsin Roadbuilders Association to present their views and recommendations on amendments to our Federal highway program.

This bill as originally passed by the House was a simple extension bill. Every Member of the House understood that later in this session amendments to our Federal Road Act would be considered. Now we are faced with a parliamentary situation where the other body has considered and acted upon amendments to the Federal Road Act as amendments to the House extension bill. The entire Federal Road Act has been rewritten without giving consideration to amendments by Members of the House of Representatives. We are required under the rules of the House to consider this bill this morning in the form of a conference report without amendment in a period of 60 minutes. As Members of the House of Representatives we are not given an opportunity to present the recommendations and amendments suggested by our State and the people we represent. This is important legislation and should not be treated in this manner. I shall vote against this conference report as a protest against this procedure.

At this point I would like to read into the RECORD several of the many letters I have received on this legislation. You will note that several suggested amendments have been recommended by various groups in Wisconsin. It is regrettable that the House will not have an opportunity to consider these amendments.

STATE OF WISCONSIN,  
Madison, March 27, 1958.

HON. MELVIN R. LAIRD,  
House Office Building,  
Washington, D. C.

DEAR MEL: Governor Thomson has asked me to send you a copy of a letter sent by the State Highway Department to the Federal Highway Administrator.

The letter is self-explanatory and the Governor hopes you will be able to take some action in giving support to this request. He feels very strongly that Wisconsin does not have a fair share of the "I" system within its borders, and the commercial as well as strategic value of this route justifies every possible effort in obtaining it.

Please advise us of any other information we may be able to provide, or any further action by the Governor you may feel will be helpful.

Thanking you in advance for your assistance,

Sincerely,

PHILIP M. SELLINGER,  
Executive Secretary.

THE STATE OF WISCONSIN,  
HIGHWAY COMMISSION,  
Madison, March 25, 1958.

MR. B. D. TALLAMY,  
Federal Highway Administrator, United  
States Bureau of Public Roads, General  
Services Building, Washington,  
D. C.

(Through Mr. R. H. Paddock, district engineer in Wisconsin.)

DEAR MR. TALLAMY: The State Highway Commission of Wisconsin, believing that certain mileage of the National System of Interstate and Defense Highways authorized to be designated by the Federal-Aid Highway Acts of 1944 and 1956 remains to be designated (and believing that a less than equitable mileage of interstate highway routes was designated in the State of Wisconsin), herewith requests that the United States Department of Commerce, Bureau of Public Roads, designate and authorize establishment of an Interstate System route extending from Milwaukee, Wis., to Marinette, Wis., and Menominee, Mich., a distance of approximately 180 miles, and presents herewith factual data in support of such request.

Such a route, with its connection in Michigan, was a part of the strategic network of principal traffic routes of military importance approved by the Secretary of War.

Such a route was included in the studies of the National Interregional Highway Committee which led to the creation of the National System of Interstate Highways by the Federal-Aid Highway Act of 1944. Such route was included in the 78,800-mile system studied and the 48,300-mile system, but was dropped out of subsequent lower mileage systems as studied by the committee. In the Interstate System as later approved, such route was omitted.

The facts are these:

1. The locks at Sault Ste. Marie are one of the most vital defense areas. Chicago is another. There is no Interstate System direct route between them. In the spirit of the Congress which added the words "and Defense" to the National System of Interstate and Defense Highways. Wisconsin requests that such route be added.

2. The Great Lakes, as the St. Lawrence seaway project is completed, will be opened to ocean shipping. The Lake States will become inland ports. In the interest of closer integration between sea transportation and highway transportation, the Interstate System will need a route serving the areas in proximity to the ports on the west shore of Lake Michigan.

3. The Fox River Valley in Wisconsin is the site of many essential industries. Its manufactures are growing rapidly and its population increases are impressive. An interstate system route northerly from Milwaukee would bring these vital industries several hours closer to Chicago and to Sault Ste. Marie.

4. The planned growth and further development of the vast area in Wisconsin and Michigan north of Milwaukee and east of the Twin Cities of Minneapolis and St. Paul is evidenced by the planning, construction, and opening of the Mackinac Bridge. An interstate system route such as Wisconsin now requests would correlate advantageously with the planning for this entire area.

5. Northern Wisconsin and upper Michigan are superb vacationlands. An interstate system routing such as Wisconsin suggests would bring these areas half a day nearer to the rest of the Nation.

6. Such an interstate system route as Wisconsin requests north of Milwaukee is already a part of the Interstate System south of Milwaukee to Chicago. It is such an important segment of the Interstate System that Illinois is building its section as a toll road in order to get it done even faster than

Interstate System financing would permit it to be built as a freeway. The Wisconsin section is of equal urgency and the State is concentrating a big share of its Interstate System money on early construction. The entire route south of Milwaukee County will be under contract this calendar year. The route north of Milwaukee is of such similar importance that the State, with primary Federal aid, is in the process of providing dual roadways, planned access, and interchanges for 114 miles.

In the light of these facts which show a development beyond all expectations or considerations given at the time the master plan for the Interstate System was first proposed nearly two decades ago, Wisconsin respectfully requests an additional route for the National System of Interstate and Defense Highways between Milwaukee, Wis., and Menominee, Mich.

Very truly yours,

HAROLD L. PLUMMER,  
Chairman.

WISCONSIN COUNTY  
BOARDS ASSOCIATION,

Madison, Wis., January 17, 1958.

The Honorable MELVIN R. LAIRD,  
Congressman, Seventh District, Wisconsin, House Office Building, Washington, D. C.

DEAR CONGRESSMAN LAIRD: Enclosed herewith you will find a copy of a resolution on the above subject that was passed at the annual convention of our association held at Superior, Wis., on October 9, 1957.

It is our understanding that undoubtedly several bills will be introduced into this session of Congress proposing to increase mileages in various States to the present system of interstate highways. We feel that Wisconsin has a very limited amount of mileage in this Interstate System as it now stands, and in view of the conditions as set forth in the resolution believe that our State is entitled to primary consideration in the event that any additional mileage is to be added to the system.

We fully realize that Congress is faced with increasing costs on the present limited Interstate System, but we also well realize that in the 1957 session of Congress there was additional allocation of mileage made to various States and that Wisconsin did not secure any consideration at that time for additional mileage.

Our association earnestly solicits your cooperation in carrying out the intent of the attached resolution to the end that if any legislation is enacted in this session of Congress increasing mileage on the Interstate System, that our State is given primary consideration due to the factors outlined in the attached resolution.

We will appreciate being kept informed by your office on the possibility of any moves being made in this session of Congress to increase mileage on the Interstate System so that we may also solicit the support of other organizations in our State to help you secure adequate allocations for Wisconsin.

Very truly yours,

A. J. THELEN,  
Executive Secretary.

#### RESOLUTION RELATING TO ADDING MILEAGE IN WISCONSIN TO THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS

Whereas an important and vital segment of Wisconsin's economy is not now served by the existing routes of the National System of Interstate and Defense Highways including the industrial, agricultural, forest product, mining and resort areas lying along the eastern portion of the State north of Milwaukee and in general the entire northern area of the State; and



Whereas the great potential developments arising from the completion of the Mackinac Bridge and the St. Lawrence Waterway will create an urgent need for modern highway facilities in the area; and

Whereas, the existing system in our State includes a termini from Minneapolis and St. Paul, Minn., at Superior, Wis., but provides no connection between such termini and the Mackinac Bridge; and

Whereas such a connection would provide a modern link from the Northwest, including the great ore areas and the industrial areas of the Great Lakes; and

Whereas present facilities serving the area carry substantial volumes of Canadian traffic; and

Whereas such a route would well serve the defense needs of the Nation and our neighbor to the north: Therefore be it

*Resolved by the Wisconsin County Boards Association in its 1957 convention duly assembled at Superior, Wis., on October 9, 1957:*

1. That the United States Congress be petitioned to include in the mileage comprising the National System of Interstate Defense Highways a north-south route connecting the control points of Milwaukee, Wis., and Iron Mountain, Mich., and an east-west route connecting the control points of Iron Mountain, Mich., and Superior, Wis.

2. That the cooperation of the Director of Highways of the State of Michigan be enlisted to the end that an east-west route from the Mackinac Bridge to Superior, Wis., be included in the National System of Interstate and Defense Highways.

3. That duly attested copies of this resolution be sent to the Wisconsin Members of the United States Congress, to the Governors of Michigan and Wisconsin, to the Michigan State Highway Department and the Wisconsin State Highway Commission.

WISCONSIN COUNTY  
BOARD ASSOCIATION,

Madison, Wis., January 20, 1958.

The Honorable MELVIN R. LAIRD,  
Congressman, Seventh District, Wisconsin, House Office Building, Washington, D. C.

DEAR CONGRESSMAN LAIRD: Enclosed herewith find a resolution relating to the above subject that has been duly endorsed by our County Highway Department Associations and by the Wisconsin County Boards Association during the past year.

We feel definitely that a relaxing of the present stringent requirements as far as our State is concerned would definitely be in the public interest because we are already fully equipped to do such work because of the unique method in Wisconsin whereby county government also maintains all of the State trunk highways as well as the county roads, and in many instances other local roads and streets.

It is our understanding that in this session of Congress a codification bill will be introduced following a study by certain committees of Congress. The purpose of this proposed codification bill would be to clear up any loose ends and conflicting interpretations and opinions as to the intent of Congress in its various enactments of highway legislation during the past sessions of Congress.

Will it be possible to have included in this codification bill the essence of the resolution attached relating to force account work with Federal funds?

Our association will greatly appreciate hearing from you on a possibility of such an enactment during this session of Congress.

Very truly yours,

A. J. THELEN,  
Executive Secretary.

# RESOLUTION RELATING TO REMOVAL OF LIMITATIONS CONCERNING THE USE OF FORCE ACCOUNT WORK UNDER F. A. S. FUND REGULATIONS

(Adopted jointly at the annual 1957 convention of the Wisconsin County Boards Association and the Wisconsin County Highway Commissioners and Committee Members Associations.)

Whereas Federal aid secondary funds under the 1956 act increased approximately 20 percent over the funds available under the 1954 Federal-Aid Law, and

Whereas in Wisconsin the entire F. A. S. allotment is made available to counties through action of the State highway commission with the requirement however, of county matching of Federal funds, and

Whereas in Wisconsin counties own and operate highway equipment probably to a greater extent than do counties in most other States because of the joint county-State arrangement whereby counties maintain the entire State trunk system as well as their own county trunk system, with the State not owning or operating any equipment; and

Whereas presently through Federal regulations on the amount of force-account work provides that "force-account work in any 1 fiscal year shall not show a substantial increase over the total force-account work done in the previous fiscal year"; and

Whereas the continuance of the regulation particularly in view of the 20-percent increase in available funds is not in the public interest in our State because counties are already adequately organized and equipped to perform a greater amount of work with their own forces and equipment than is permitted under the restrictive regulations now in effect; and

Whereas a broadening of the authority for counties in Wisconsin to do more work by force account will enable counties to more adequately plan for the year around use of their manpower and equipment normally required for the regular maintenance and traffic service work including snow and ice removal: Therefore be it

*Resolved*, That the Wisconsin County Boards Association take whatever steps are necessary at Washington, D. C., in an effort to secure a greater latitude for the counties of Wisconsin to do a greater percentage of work with their own forces and equipment.

AMERICAN ASSOCIATION OF  
STATE HIGHWAY OFFICIALS,

Washington, D. C., January 8, 1958.

Members of the 85th Congress of the United States, Washington, D. C.

GENTLEMEN: The State Highway Officials, meeting in Chicago, Ill., November 18-22, 1957, in annual convention discussed the progress of the enlarged highway program as well as proposed, anticipated, and existing Federal legislation, and took formal action as per the attached resolutions and policy statement.

The Congress, in its wisdom in authorizing the expanded and accelerated road program, continued the historic Federal-State relationship for building the Nation's Federal-aid highways, wherein the State highway departments are the basic operating units to initiate, plan, design, construct, and maintain the roads, and the Bureau of Public Roads administers the program to protect the Federal interest.

The enclosed actions represent the opinions of the men who are in responsible charge of the State highway departments and who are doing the job that you assigned to them.

We will appreciate your consideration and support of the views and actions as outlined in these resolutions and policy statement in acting on any proposed Federal

road legislation that may come before you.

We appreciate your confidence in the State highway officials of this Nation and we assure you we will complete the job you have given us on schedule and in a most commendable manner.

Yours very truly,

CLAUDE R. McMILLAN,  
President.

# RESOLUTION NO. 4 OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY OFFICIALS

Whereas at all times from the date of the original congressional enactment requiring the placing of internal revenue stamps upon conveyances of real property until May 1, 1950, conveyances to the various States for highway purposes were completely exempt from said tax and the United States Bureau of Internal Revenue by formal ruling had so declared; and

Whereas by Internal Revenue Bulletin No. 9, dated May 1, 1950, this long-standing ruling was reversed by the United States Bureau of Internal Revenue, on the theory that while such tax could not be imposed upon a State, it could nevertheless be imposed upon the other party to the transaction, and that, therefore, all such conveyances must bear the internal revenue stamps; and

Whereas this association has previously adopted resolutions urging that legislation be enacted to clearly exempt highway right-of-way transactions from the internal revenue stamp tax; and

Whereas bills to accomplish this purpose were introduced in the Congress in 1957 and are still pending; and

Whereas, in view of the greatly expanded program which is now under way pursuant to the Federal Highway Act of 1956, the necessity of taking all possible steps to facilitate right-of-way acquisition makes enactment of such legislation of even greater importance: Now, therefore, be it

*Resolved*, That the American Association of State Highway Officials, in annual convention assembled at Chicago, Ill., November 18-22, 1957, instruct its president and executive committee to actively seek enactment of legislation to provide that right-of-way transactions for highway purposes shall be exempt from the internal revenue stamp tax; and be it further

*Resolved*, That such legislation exempt from such tax all transactions between May 1, 1950, and the enactment of such legislation.

A. E. JOHNSON,  
Executive Secretary.

# RESOLUTION NO. 5 OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY OFFICIALS

Whereas this association in the past has called to the attention of the Congress and of the various executive departments of the Federal Government the need for legislation to permit the acquisition of adequate rights-of-way for highway purposes over and across Federal lands, and

Whereas the difficulties of obtaining such rights-of-way still exist and in some instances may prevent the development of the National System of Interstate and Defense Highways authorized by the Federal-Aid Highway Act of 1956; and

Whereas this association has previously endorsed in principle proposed Federal legislation which was prepared by a special committee of the Western Association of State Highway Officials, copies of which legislation were sent to the President of the United States and various Federal departments and agencies, and

Whereas by reason of the increased highway programs pursuant to the Federal-Aid Highway Act of 1956, such legislation is even



more necessary than before; Now, therefore, be it

*Resolved*, That the American Association of State Highway Officials, in Annual Convention assembled in Chicago, Ill., November 18-22, 1957, reaffirms its endorsement in principle of the draft of such legislation; and be it further

*Resolved*, That the president and executive committee of this association take all proper steps to insure the introduction in and consideration by the forthcoming session of the Congress of such legislation.

A. E. JOHNSON,  
Executive Secretary.

WISCONSIN ROAD BUILDERS ASSOCIATION,  
Madison, Wis., March 12, 1958.

Hon. MELVIN R. LAIRD,  
House Office Building,  
Washington, D. C.

DEAR CONGRESSMAN LAIRD: We are attaching a copy of a resolution unanimously adopted by this association which represents 184 highway contractor companies employing over 8,000 men.

We respectfully request that this resolution be given your careful consideration.

Very truly yours,

E. E. HOEBEL,  
Executive Secretary.

#### RESOLUTION OF WISCONSIN ROAD BUILDERS ASSOCIATION

Whereas the economic development of the Nation and the high standard of living enjoyed by its citizens may be largely attributed to the process of private enterprise; and

Whereas it has been conclusively demonstrated that the open competitive bidding system guarantees the construction of highways at the lowest possible cost to the taxpayer, with the highest quality of construction, and in the least possible time; and

Whereas the contract system provides for maximum employment, directly and indirectly, since over 90 percent of every dollar expended on construction work goes to labor as payrolls, assuring widespread benefits to labor, business, and industry; and

Whereas open competitive bidding as the basis for constructing highways and other public works is in the public interest; and

Whereas the open competitive bidding system not only encourages private business initiative, but also that of workers; and

Whereas the contractors will be operating at less than 50 percent of capacity in Wisconsin during 1958 with a consequent reduction in its labor forces: Now, therefore, be it

*Resolved*, That the Board of Directors of the Wisconsin Road Builders Association at its meeting on March 11, 1958, does hereby go on record reaffirming its previously stated position in full support of the open competitive bidding method for highway construction and does call upon all other interested parties and agencies to take full advantage of this method in the interest of economy, efficiency, and support of American traditions and principles; and be it further

*Resolved*, That all members of the Wisconsin congressional delegation and the chairman of the appropriate congressional committee be petitioned to provide for the continuation of the full utilization of the open competitive bidding method on all highway legislation to be acted upon by this session of the Congress; and be it further

*Resolved*, That the United States Bureau of Public Roads and the State Highway Commission of Wisconsin be petitioned to continue their original policy in regard to the open competitive bidding system of the urban, secondary, and regular Federal-aid system.

Mr. FALLON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

Mr. MCGREGOR. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. MCGREGOR. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MCGREGOR moves to recommit the conference report on the bill (H. R. 8921) to the committee of conference.

Mr. FALLON. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit offered by the gentleman from Ohio [Mr. MCGREGOR].

Mr. FALLON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 109, nays 222, not voting 98, as follows:

[Roll No. 39]

YEAS—109

Abernethy	Gwinn	Poage
Albert	Haley	Poff
Alexander	Harrison, Nebr.	Ray
Alger	Harvey	Reed
Allen, Ill.	Hébert	Rhodes, Ariz.
Andrews	Henderson	Rivers
Arends	Hiestand	Rogers, Tex.
Ayres	Ikard	Rutherford
Bass, Tenn.	Jackson	Scott, N. C.
Beamer	Jarman	Selden
Beckworth	Jenkins	Sheehan
Belcher	Jennings	Sheppard
Berry	Jensen	Shuford
Bonner	Johansen	Simpson, Ill.
Brooks, La.	Jones, Mo.	Simpson, Pa.
Brooks, Tex.	Kilday	Smith, Calif.
Brown, Mo.	Kilgore	Smith, Va.
Brown, Ohio	King	Stauffer
Brownson	Kitchin	Steed
Budge	Krueger	Teague, Tex.
Burleson	Laird	Thomas
Byrne, Ill.	Lane	Thompson, Ia.
Byrnes, Wis.	McCulloch	Thompson, Tex.
Chipfield	McGregor	Thomson, Wyo.
Cooley	Macdonald	Thornberry
Curtis, Mass.	Mack, Ill.	Tuck
Curtis, Mo.	Mahon	Van Pelt
Derounian	Michel	Vorys
Dixon	Morris	Vursell
Dowdy	Morrison	Williams, Miss.
Elliott	Murray	Willis
Fisher	Neal	Wilson, Ind.
Flynt	Nicholson	Winstead
Fountain	O'Hara, Minn.	Wright
Gary	O'Neill	Young
Glenn	Philbin	
Gross		

NAYS—222

Addonizio	Byrne, Pa.	Devereux
Andersen	Canfield	Dingell
H. Carl	Cannon	Donohue
Anderson	Carrigg	Dorn, N. Y.
Mont.	Cederberg	Dorn, S. C.
Ashley	Chamberlain	Doyle
Ashmore	Chelf	Dwyer
Aspinall	Chenoweth	Eberharter
Auchincloss	Christopher	Edmondson
Avery	Church	Engle
Bailey	Clark	Everett
Baker	Coad	Fallon
Baldwin	Coffin	Fascell
Barrett	Collier	Feighan
Bates	Corbett	Fenton
Baumhart	Cramer	Flood
Bennett, Fla.	Cretella	Fogarty
Bentley	Cunningham	Forand
Betts	Iowa	Ford
Blatnik	Cunningham	Frazier
Blich	Nebr.	Frelinghuysen
Bosch	Curtin	Friedel
Boyle	Dague	Fulton
Bray	Davis, Tenn.	Garmatz
Broomfield	Delaney	Gathings
Brown, Ga.	Dellay	Gavin
Bush	Dennison	George
Byrd	Denton	Granahan

Gray  
Green, Oreg.  
Green, Pa.  
Gregory  
Griffin  
Griffiths  
Hagen  
Hale  
Harris  
Haskell  
Hays, Ark.  
Hays, Ohio  
Hemphill  
Herlong  
Heseltun  
Hill  
Hoffman  
Holland  
Holmes  
Holt  
Holtzman  
Hosmer  
Huddleston  
Hull  
Hyde  
Johnson  
Jones, Ala.  
Judd  
Karsten  
Kearns  
Keating  
Kee  
Keogh  
Kluczynski  
Knox  
Knutson  
Lafore  
Lankford  
Latham  
Lesinski  
Libonati  
Lipscomb  
Loser  
McCarthy  
McFall  
McGovern  
McIntosh  
McMillan

McVey  
Machrowicz  
Mack, Wash.  
Madden  
Magnuson  
Mailliard  
Marshall  
Matthews  
May  
Meader  
Merrow  
Metcalf  
Miller, Nebr.  
Miller, N. Y.  
Mills  
Minshall  
Mitchell  
Montoya  
Moore  
Morano  
Morgan  
Moss  
Moulder  
Multer  
Natcher  
Nimtz  
Norrell  
O'Brien, Ill.  
O'Hara, Ill.  
O'Konski  
Osmers  
Ostertag  
Patterson  
Pelly  
Perkins  
Pfost  
Pillion  
Polk  
Porter  
Price  
Prouty  
Quile  
Reece, Tenn.  
Rees, Kans.  
Reuss  
Rhodes, Pa.  
Riehlman  
Roberts

Robison, N. Y.  
Robison, Ky.  
Rodino  
Rogers, Colo.  
Rogers, Fla.  
Rogers, Mass.  
Roosevelt  
Sadlak  
Santangelo  
Saund  
Saylor  
Schenck  
Schwengel  
Scrivner  
Seely-Brown  
Shelley  
Sieminski  
Sikes  
Siler  
Sisk  
Smith, Kans.  
Smith, Miss.  
Spence  
Springer  
Talle  
Teague, Calif.  
Tewes  
Thompson, N. J.  
Trimble  
Udall  
Ullman  
Vanik  
Van Zandt  
Wainwright  
Walter  
Watts  
Weaver  
Westland  
Whitten  
Widnall  
Wier  
Withrow  
Wolverton  
Yates  
Younger  
Zablocki

NOT VOTING—98

Abbitt	Evins	Mumma
Adair	Farbstein	Norblad
Allen, Calif.	Fino	O'Brien, N. Y.
Anfuso	Forrester	Passman
Barden	Gordon	Patman
Baring	Grant	Pilcher
Bass, N. H.	Gubser	Powell
Becker	Halleck	Preston
Bennett, Mich.	Harden	Rabaut
Boggs	Hardy	Radwan
Boland	Harrison, Va.	Rains
Bolling	Healey	Riley
Bolton	Hess	Robeson, Va.
Bow	Hillings	Rooney
Boykin	Hoeven	St. George
Breeding	Holifield	Scherer
Broyhill	Horan	Scott, Pa.
Buckley	James	Scudder
Burdick	Kean	Staggers
Carnahan	Kearney	Sullivan
Celler	Kelly, N. Y.	Taber
Clevenger	Kilburn	Taylor
Colmer	Kirwan	Teller
Coudert	Landrum	Tollefson
Davis, Ga.	LeCompte	Utt
Dawson, Ill.	Lennon	Vinson
Dawson, Utah	McCormack	Wharton
Dent	McDonough	Whitener
Dies	McIntire	Wigglesworth
Diggs	Martin	Williams, N. Y.
Dollinger	Mason	Wilson, Calif.
Dooley	Miller, Calif.	Zelenko
Durham	Miller, Md.	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Whitener with Mr. Allen of California.  
Mr. Carnahan with Mr. Taber.  
Mr. Hardy with Mr. Wigglesworth.  
Mr. Anfuso with Mr. Miller of Maryland.  
Mr. Kirwan with Mr. Martin of Massachusetts.

Mr. Boykin with Mr. McIntire.  
Mr. Rabaut with Mr. McDonough.  
Mr. Davis of Georgia with Mr. Radwan.  
Mr. Diggs with Mr. Kearney.  
Mr. Evins with Mr. Kilburn.  
Mr. Grant with Mr. Fino.  
Mrs. Kelly of New York with Mr. Hillings.



Mr. Miller of California with Mr. Dawson of Utah.

Mr. O'Brien of New York with Mr. Cleveland.

Mr. Breeding with Mr. Wharton.

Mr. Staggers with Mr. Gubser.

Mr. Zelenko with Mr. Norblad.

Mr. Gordon with Mrs. St. George.

Mr. Farbstein with Mr. Mason.

Mr. Dawson of Illinois with Mr. Tollefson.

Mr. Dent with Mr. LeCompte.

Mr. Powell with Mr. Utt.

Mr. Baring with Mr. Williams of New York.

Mr. Teiler with Mr. Scott of Pennsylvania.

Mr. Bolling of Missouri with Mr. Bennett of Michigan.

Mr. Boggs of Louisiana with Mr. Bass of New Hampshire.

Mr. McCormack with Mr. Hoeven.

Mr. Forrester with Mr. Coudert.

Mr. Colmer with Mr. Scherer.

Mr. Abbitt with Mr. Hess.

Mr. Lennon with Mr. Kean.

Mr. Adair with Mr. Taylor.

Mrs. Harden with Mr. Landrum.

Mr. Halleck with Mr. Vinson.

Mr. Mumma with Mr. Celier.

Mr. James with Mr. Buckley.

Mr. Becker with Mr. Rooney.

Mr. Wilson of California with Mr. Dooley.

Mr. Durham with Mr. Harrison of Virginia.

Mr. Picher with Mrs. Bolton.

Mr. Barden with Mr. Bow.

Mr. Boland with Mr. Riley.

Mr. Passman with Mr. Horan.

Mr. Patman with Mr. Dollinger.

Mr. Rains with Mrs. Sullivan.

Mr. Dies with Mr. Preston.

Mr. Robeson of Virginia with Mr. Hollifield.

Mr. Burdick with Mr. Healey.

Mr. MORRIS changed his vote from "nay" to "yea."

Mr. KEARNS changed his vote from "yea" to "nay."

Mr. COLLIER changed his vote from "yea" to "nay."

Mr. BENTLEY changed his vote from "yea" to "nay."

Mr. LIPSCOMB changed his vote from "yea" to "nay."

Mr. WITHROW changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the conference report.

Mr. BASS of Tennessee. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were yeas 300, nays 28, not voting 101, as follows:

#### [Roll No. 40]

#### YEAS—300

Abernethy	Bennett, Fla.	Cheif
Addonizio	Bentley	Chenoweth
Albert	Berry	Chilperfield
Alexander	Betts	Christopher
Allen, Ill.	Blatnik	Church
Andersen,	Blitch	Clark
H. Carl	Bonner	Coad
Anderson,	Bosch	Coffin
Mont.	Boyle	Collier
Andrews	Bray	Cooley
Arends	Brooks, La.	Corbett
Ashley	Brooks, Tex.	Cramer
Ashmore	Broomfield	Cretella
Aspinall	Brown, Ga.	Cunningham,
Auchincloss	Brown, Mo.	Iowa
Avery	Brown, Ohio	Cunningham,
Balley	Brownson	Nebr.
Baker	Budge	Curtin
Baldwin	Bush	Dague
Barrett	Byrd	Davis, Tenn.
Bass, N. H.	Byrne, Ill.	Delaney
Bass, Tenn.	Byrne, Pa.	Dellay
Bates	Canfield	Dennison
Baumhart	Cannon	Denton
Beamer	Carrigg	Derounian
Beckworth	Cederberg	Devereux
Belcher	Chamberlain	Dingell

Dixon	Keating	Reed	Hoeven	Miller, Md.	Scherer
Donohue	Kee	Rees, Kans.	Hollifield	Mumma	Scott, Pa.
Dorn, N. Y.	Keogh	Reuss	Horan	Murray	Scudder
Dorn, S. C.	Kilday	Rhodes, Pa.	James	Norblad	Staggers
Dowdy	King	Riehlman	Kean	O'Brien, N. Y.	Sullivan
Doyle	Kitchin	Roberts	Kearney	O'Neill	Taber
Dwyer	Kluczynski	Robison, N. Y.	Kelly, N. Y.	Passman	Taylor
Eberhart	Knox	Robson, Ky.	Kilburn	Patman	Teller
Elliot	Knutson	Rodino	Kirwan	Pilcher	Tollefson
Engle	Krueger	Rogers, Colo.	Landrum	Powell	Utt
Everett	Lafore	Rogers, Fla.	LeCompte	Preston	Vinson
Fallon	Lane	Rogers, Mass.	Lennon	Rabaut	Wharton
Fascell	Lankford	Roosevelt	McCormack	Radwan	Whitener
Feighan	Latham	Sadiak	McDonough	Rains	Wigglesworth
Fenton	Lesinski	Santangelo	McIntire	Riley	Williams, N. Y.
Flood	Libonati	Saund	Martin	Robeson, Va.	Wilson, Calif.
Flynt	Lipscomb	Saylor	Mason	Rooney	Zelenko
Fogarty	Loser	Schenck	Miller, Calif.	St. George	
Forand	McCarthy	Schwengel			
Ford	McCulloch	Scott, N. C.			
Fountain	McFall	Scrivner			
Frazier	McGovern	Seely-Brown			
Frelinghuysen	McIntosh	Selden			
Friedel	McMillan	Sheehan			
Fulton	McVey	Shelley			
Garmatz	Macdonald	Sheppard			
Gathings	Machrowicz	Shuford			
Gavin	Mack, Ill.	Sieminski			
George	Mack, Wash.	Sikes			
Granahan	Madden	Siler			
Gray	Magnuson	Simpson, Ill.			
Green, Oreg.	Maillard	Sisk			
Green, Pa.	Marshall	Smith, Calif.			
Griffin	Matthews	Smith, Kans.			
Griffiths	May	Smith, Miss.			
Gross	Meader	Spence			
Hagen	Merrow	Springer			
Hale	Metcalf	Stauffer			
Haley	Michel	Steed			
Harris	Miller, Nebr.	Talle			
Harrison, Nebr.	Miller, N. Y.	Teague, Calif.			
Harvey	Mills	Tewes			
Haskell	Minshall	Thompson, La.			
Hays, Ark.	Mitchell	Thompson, N. J.			
Hays, Ohio	Montoya	Thomson, Wyo.			
Hébert	Moore	Thornberry			
Hemphill	Morano	Trimble			
Henderson	Morgan	Udall			
Herlong	Morris	Ullman			
Heseltun	Morrison	Vanik			
Hiestand	Moss	Van Pelt			
Hill	Moulder	Van Zandt			
Hoffman	Multer	Vorys			
Holland	Natcher	Vursell			
Holmes	Nicholson	Walnwright			
Holt	Nimtz	Walter			
Holtzman	Norrell	Watts			
Hosmer	O'Brien, Ill.	Weaver			
Huddleston	O'Hara, Ill.	Westland			
Hull	O'Hara, Minn.	Whitten			
Hyde	O'Konski	Wildnall			
Ikard	Osmers	Wier			
Jackson	Ostertag	Williams, Miss.			
Jarman	Patterson	Willis			
Jenkins	Pelly	Wilson, Ind.			
Jennings	Perkins	Winstead			
Jensen	Pfost	Withrow			
Johansen	Philbin	Wolverton			
Johnson	Pillion	Wright			
Jonas	Polk	Yates			
Jones, Ala.	Porter	Young			
Jones, Mo.	Price	Younger			
Judd	Prouty	Zablocki			
Karsten	Quile				
Kearns	Reece, Tenn.				

#### NAYS—28

Alger	Kilgore	Rogers, Tex.
Ayres	Laird	Rutherford
Burleson	McGregor	Simpson, Pa.
Byrnes, Wis.	Mahon	Smith, Va.
Curtis, Mass.	Neal	Teague, Tex.
Curtis, Mo.	Poage	Thomas
Fisher	Poff	Thompson, Tex.
Gary	Ray	Tuck
Glenn	Rhodes, Ariz.	
Gwinn	Rivers	

#### NOT VOTING—101

Abbitt	Buckley	Edmondson
Adair	Burdick	Evins
Allen, Calif.	Carnahan	Farbstein
Anfuso	Celler	Fino
Barden	Cleaver	Forrester
Baring	Colmer	Gordon
Becker	Coudert	Grant
Bennett, Mich.	Davis, Ga.	Gregory
Boggs	Dawson, Ill.	Gubser
Boland	Dawson, Utah	Halleck
Bolling	Dent	Harden
Bolton	Dies	Hardy
Bow	Diggs	Harrison, Va.
Boykin	Dollinger	Healey
Breeding	Dooley	Hess
Broyhill	Durham	Hillings

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. McCormack with Mr. Hoeven.	Mr. Teiler with Mr. Taber.
Mr. Buckley with Mr. Kean.	Mr. Colmer with Mr. Dooley.
Mr. Whitener with Mr. Coudert.	Mrs. Sullivan with Mr. Burdick.
Mr. Breeding with Mr. LeCompte.	Mr. Vinson with Mr. Miller of Maryland.
Mr. Staggers with Mr. Adair.	Mr. Zelenko with Mr. Becker.
Mr. Barden with Mr. Halleck.	Mr. Celier with Mr. Taylor.
Mr. Miller of California with Mr. Wigglesworth.	Mr. Riley with Mr. Horan.
Mr. Carnahan with Mr. Wilson of California.	Mr. Preston with Mr. Fino.
Mr. Powell with Mr. Norblad.	Mr. Rabaut with Mr. Cleveland.
Mr. Anfuso with Mr. McIntire.	Mr. Edmondson with Mr. Radwan.
Mr. Forrester with Mr. Martin.	Mr. Durham with Mr. Broyhill.
Mr. Gregory with Mrs. Bolton.	Mr. Diggs with Mr. Kilburn.
Mr. Passman with Mr. Allen of California.	Mr. Lennon with Mr. Mumma.
Mr. Picher with Mr. Gubser.	Mr. Gordon with Mr. Hess.
Mr. Landrum with Mr. Bennett of Michigan.	Mr. Patman with Mrs. St. George.
Mr. Dent with Mr. Bow.	Mr. Boykin with Mr. Dawson of Utah.
Mrs. Keily of New York with Mrs. Harden.	Mr. Hollifield with Mr. James.
Mr. Kirwan with Mr. Kearney.	Mr. Farbstein with Mr. Williams of New York.
Mr. Abbitt with Mr. McDonough.	Mr. Rooney with Mr. Mason.
Mr. Boland with Mr. Wharton.	Mr. Healey with Mr. Scott of Pennsylvania.
Mr. Robeson of Virginia with Mr. Tollefson.	Mr. Dollinger with Mr. Scherer.
Mr. Bolling with Mr. Utt.	Mr. Harrison of Virginia with Mr. Hillings.
Mr. Grant with Mr. Scudder.	

Mr. HIESTAND and Mr. NORRELL changed their vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. NEAL. Mr. Speaker, I opposed this legislation.

The Federal Highway System, designed to meet a recognized need, was well conceived and planned for completion over a definite period of years with funds anticipated from taxes to be imposed on the users.

Any project of such proportions admittedly will require most careful studies and planning, in order that waste, in-



efficiency, and engineering errors may be avoided.

In my opinion, the Congress should avoid legislating hasty provisions that will invite unwise and uncoordinated approaches to one of the most expensive programs ever before undertaken by our Government in peacetime.

While it is highly desirable to institute much needed Federal works projects for the purpose of absorbing the acute unemployment problem facing our Nation today, this program, because of necessary delays in getting the program underway, will fall short of anticipated results in this respect.

This Federal highway program is too important to the future of transportation needs to be approached in haste. This bill foreshadows just such attempts whereby the future stability of this great project will fall short of full returns for money involved.

#### GOVERNOR WILLIAMS, OF MICHIGAN

(Mr. MACHROWICZ asked and was given permission to address the House for 1 minute.)

Mr. MACHROWICZ. Mr. Speaker, on yesterday the gentleman from Michigan [Mr. HOFFMAN] took the floor of this House to comment on the testimony of Gov. G. Mennen Williams, of Michigan, before the Ways and Means Committee this last Monday, March 31. In his comments the gentleman from Michigan stated that the Governor at that time indicated he had no knowledge of the amount of debt of the State of Michigan.

I have much respect for the thoroughness of the gentleman from Michigan, but it seems that at least in this one instance he slipped slightly. If he had been as thorough as he usually is, he would have noted that, although the Governor did state that he did not have the exact figures immediately at hand, he did return to the hearing room within an hour and placed them into the RECORD.

For the gentleman's enlightenment, I cite here that portion of the transcript of March 31 relative to this matter:

Mr. MACHROWICZ. When Governor Williams was on the stand earlier today, he was asked a question about what the Michigan debt was. At that time he did not have the available figures.

Governor Williams is now in the hearing room and has asked that these figures be placed in the record. He is available to explain them if necessary.

The figures for 1956 are as follows:

The total State and local debt, \$1,536,000,000. The total State debt alone was \$519 million, of which \$199 million is faith and credit debt. Three hundred and twenty million dollars is self-liquidating; this is debt such as the Mackinac Bridge debt which tolls pay for, and other similar debts. I ask unanimous consent that these figures be placed in the record at the appropriate place where the question was asked.

The CHAIRMAN. That will be done.

When these figures were put into the record, the gentleman from Missouri [Mr. CURTIS], who originally asked for the figures, was in the hearing room, but did not choose to question the Governor

further about the matter, though the Governor was available in the room for questioning.

I sincerely hope that the next time the gentleman from Michigan [Mr. HOFFMAN] decides to comment on matters of this kind, he checks the record a little more thoroughly than he did in this instance.

#### TAX ON ADMISSIONS TO CERTAIN MUSICAL PERFORMANCES

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8794) to provide an exemption from the tax imposed on admissions to certain musical performances, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 4, strike out "be" and insert "is."

Page 1, line 5, after "musical" insert "or dramatic."

Page 1, line 8, after "musical" insert "or dramatic."

Page 1, after line 8, insert:

"SEC. 2. Section 4233 (a) (1) (C) of such Code is amended by inserting before the period at the end of the last sentence thereof 'or to the benefit of hospitals for crippled children, or both.'"

Page 1, after line 8, insert:

"SEC. 3. Section 4233 (a) of such Code is amended by adding at the end thereof the following new paragraph:

"(11) Athletic games for benefit of retarded children: Any admissions to an athletic game between teams composed of students from elementary or secondary schools, or colleges, if the proceeds from such game inure exclusively to the benefit of an organization described in section 501 (c) (3) which is exempt from tax under section 501 (a) and which is operated exclusively for the purpose of aiding and advancing retarded children."

Page 1, line 9, strike out "2" and insert "4."

Page 1, line 9, strike out "the first section of."

Amend the title so as to read: "An act to provide exemptions from the tax imposed on admissions for admissions to certain musical and dramatic performances and athletic events."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

(Mr. MILLS asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MILLS. Mr. Speaker, as the Members of the House will recall, H. R. 8794 as it passed the House provided an exemption from the Federal excise tax on admissions for certain musical performances so as to make an exemption available to nonprofit civic or community membership associations not only in the case of performances by symphony orchestras, bands, and vocal groups and in the case of ballets, operas,

and operettas, but also in the case of musical comedies and reviews.

The Senate amended the bill in the following respects: First, such amendments would exempt from admissions tax athletic events between teams composed of students where the proceeds are divided between the educational institutions involved and hospitals for crippled children, and would exempt from admissions tax such athletic events where the proceeds are devoted to organizations operated exclusively for the purpose of aiding and advancing retarded children. There were certain technical amendments in addition. Also, there was a floor amendment to change the title of the bill and an amendment to exempt from the admissions tax dramatic performances where there is involved an organization which has civic or community membership.

(Mr. REED asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. REED. Mr. Speaker, the House-passed version of this legislation had as its purpose amending the Internal Revenue Code so as to extend the existing exemption from the excise tax on admissions presently available with respect to certain concerts so that the exemption would be available with respect to musical performances conducted by nonprofit civic or community membership associations. The Senate in acting on H. R. 8794 has extended the exemption from the admissions tax to athletic games between teams composed of students from elementary or secondary schools or colleges where the gross proceeds are divided between the schools involved and hospitals for crippled children. The exemption has also been extended to such athletic games where the proceeds inure to an exempt educational, charitable, or religious organization operated exclusively for the benefit of retarded children.

I would like to commend my able colleague from Missouri [Mr. CURTIS] for the effective work he has done on this meritorious legislation.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] and the gentleman from Missouri [Mr. KARSTEN] be permitted to extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

[Mr. CURTIS of Missouri addressed the House. His remarks will appear hereafter in the Appendix.]

[Mr. KARSTEN addressed the House. His remarks will appear hereafter in the Appendix.]

#### INVINCIBLE SPIRIT OF PATRICK

(Mr. PHILBIN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PHILBIN. Mr. Speaker, the St. Patrick's observances throughout the world, particularly here in our own Na-



tion, took on special significance this year, not only because of the increased size and fervor of the celebrations, but because of the world backdrop against which they were held.

Confusion, even chaos, stalk through much of the world; economic warning signs are hoisted; the fear of nuclear destruction from space poises ominously over the human race.

But the example and precepts of the glorious Patrick stand unchanged, immutable, symbol of the living faith, a spiritual armor that will guard us and the world from harm.

St. Patrick exemplifies the invincible spirit of the Emerald Isle and the dauntless will of its noble people.

Selfless, God-like and universal, St. Patrick is as the indestructible rock upon which the century tides of human turmoil may beat ceaselessly only to be brushed away as if by one light touch of the Divine Maker.

The Nation and the world must ponder well upon the example of the lofty spirit of St. Patrick and the history of the Irish people because here is the triumph of eternal faith, good works, and unflinching determination.

Let Americans and freedom-lovers everywhere recall and again be inspired by the infinite power of prayer and the unconquerable spirit of a people fired by love of God and allegiance to personal liberty.

The Irish saga is but part of the great age-old struggle for liberty. But it is a part that teaches us eloquently that men of faith and men of courage can never be defeated.

There is another lesson to be learned from the great human experience of Patrick and the Irish and that is the lesson of undimmed hope when dark despair casts its somber reflection upon the world.

Let the enemies of freedom beware of further arousing the conscience of freemen. Let those who plot our destruction and our conquest recognize above all that we will ever affirm and defend our faith in our great destiny of freedom and that we will resist, if need be, with all our great strength and power the evil forces that so cynically assail our most precious values and would, if they had their way, bring us by the mailed fist under the slavish mastery of the godless superstate.

What the Nation and the world needs today is the resolution to live by the solid values upon which our civilization rests, the values that Patrick stressed, that the Irish heritage represents and that are so intimately bound up with our own history and national life.

Devotion to the Creator and the cause of human liberty, if it is felt sincerely and practiced resolutely can help greatly to lift up the hearts and the hopes of innumerable victims of tyranny. More than that, our uncompromising adherence to our political and spiritual ideals will preserve our rights and liberties as free men and women, regardless of the blatant threats and blandishments of the Marxist conspiracy.

It will be these values, not the selfish, materialistic ones, not the economic

ones, that will put the enemies of freedom to rout. It will be the values of Patrick and his brave nation, the values of American patriots and freedom fighters everywhere moved by faith, valor and determination that will, under God, preserve the American constitutional system, our way of life, our families and our shrines and bring to the world the peace that "surpasseth all understanding"; the lasting peace and security resting in justice, compassion and the rights of man.

#### FOURTH INTERNATIONAL AUTOMATION CONGRESS AND EXPOSITION

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H. J. Res. 347) authorizing and requesting the President to invite the several States and foreign countries to take part in the Fourth International Automation Congress and Exposition to be held in the New York Coliseum at New York, N. Y., from June 9 to June 13, 1958.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 2, line 3, strike out "and requested."  
Page 2, line 7, strike out all after "1958" over to and including "City" in line 3 page 3.

Amend the title so as to read: "Joint resolution authorizing the President to invite the several States and foreign countries to take part in the Fourth International Automation Congress and Exposition to be held in the New York Coliseum at New York, N. Y., from June 9 to June 13, 1958."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

#### CORRECTION OF RECORD

Mr. MADDEN. Mr. Speaker, in yesterday's Record on page 5490, in the third column, lines 27 and 46, the words "2 miles" should be changed to "1½ miles." I ask unanimous consent that the permanent Record be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

#### RECESSION REMEDY

(Mr. MADDEN asked and was given permission to address the House for 5 minutes and to revise and extend his remarks.)

Mr. MADDEN. Mr. Speaker, since this session of Congress opened in January my office has received volumes of mail and visits by delegations from Indiana requesting drastic action on legislation to aid in curtailing the growing unemployment. Industrial workers, farmers, and small retail business groups

have visited me, all hoping for legislative action to restore public buying power.

After 5 years of high interest rates and a tight-money policy coupled with Secretary of Agriculture Benson's agriculture program we find that billions of dollars in buying power has been gradually siphoned from the farm and consuming groups in our economy until we have finally found consumer goods and machinery products dormant in our retail markets.

Five and one-half million unemployed does not give the true picture of our economic condition. This figure does not include additional millions who are working part time—3 to 4 days per week. Millions of small farmers have left the farm and are working or seeking employment in our towns and cities.

The following antirecession programs should have already been placed in actual operation and I hope our Government will not delay further in getting action on same:

First. Increase individual personal exemptions from \$600 to \$700.

Second. Pass legislation to establish Federal standards for unemployment compensation as recommended by the Kennedy-McCarthy bill.

Third. Double time speedup on immediate highway construction. The \$31 billion highway program was passed by the Congress almost 2 years ago and is still in blueprint stage.

Fourth. Construction of much needed schools, hospitals, post offices, and flood-control projects.

Fifth. Replace Secretary Benson and reestablish the farm policy which Benson discarded in 1953. The farmers' buying power must be restored.

If the President and his minority congressional leaders will cooperate with the Congress on the above 5 antidepression measures, public buying power will gradually increase and production and employment reestablished.

It is astounding to observe the political antics of some of our dedicated so-called States rights governors passing the buck to Congress for relief of unemployment in their States. The governor of my State of Indiana is an outstanding example of one engaging in political doubletalk. For several years Governor Handley in speeches, television, and newspapers has denounced the policy of Indiana receiving Federal money from Washington. He now has reversed his campaign propaganda and has made two trips to Federal agencies for help to relieve unemployment.

Thousands of Hoosiers would now be employed on much-needed school, hospital, and highway construction had he and other members of his party supported a Federal cooperation program during the last few years.

#### COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. BONNER. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have until midnight tonight to file a report on the bill H. R. 11451.



The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

#### THE SECRETARY OF AGRICULTURE

(Mr. WHITTEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WHITTEN. Mr. Speaker, on Tuesday, April 1, we passed our appropriation bill for the Department of Agriculture for the coming fiscal year. In connection with the bill, I submitted for the committee our report which shows that in the last 5 years, under Secretary Benson, farm income has gone down greatly. Farm costs have gone up. The take of the middleman has constantly increased, as have the payments from the Treasury. With all of this, consumer prices have gone up. Commodity Credit Corporation holdings, despite grants, donations, sales for foreign currencies, and cash sales, have increased from \$2½ billion in January 1953, to \$7.2 billion in January 1958. Employees in the Department have increased by 17,000; and the cost of operating the regular programs of the Department has increased from \$796 million in fiscal year 1952 to a total of \$1,729,000,000 for the present fiscal year.

Mr. Speaker, these facts come from the Department's own record of operations under the administration of the Secretary of Agriculture, Mr. Benson. In view of that record, it is hard to believe that the Secretary of Agriculture, as stubborn as he may be, would not read from such facts at least some proof that his programs for American agriculture are not working.

May I say, there was no opposition from the Republican side of the aisle either to the Agriculture Appropriations Committee report or to the bill as it passed Congress, clearly indicating the realization by the entire Congress of the true situation.

The question follows, Mr. Speaker, as to why the President turned down the pleas of Republican Members of Congress for a change in the secretaryship from Secretary Benson to someone else. In trying to determine the President's reasons, my attention was called to a copy of the Deseret News and Telegram, Salt Lake City, Tuesday, December 2, 1952, where the following news story appears:

#### APPOINTMENT VIEWED AS HONOR TO CHURCH

PROVO, UTAH.—Elder Ezra Taft Benson said Monday his appointment as Secretary of Agriculture was not an honor to an individual but to the entire Church of Jesus Christ of Latter-Day Saints.

Elder Benson, a member of the Council of the Twelve, spoke to Brigham Young University students in the field house.

"This appointment means that the world has come to recognize the Church for what it is \* \* \* it is the fulfillment of a prophecy of Joseph Smith, who said the Church would one day assume leadership in Washington."

Mr. Speaker, since that time Elder Benson has reached a position of great influence at the White House. He has exercised great powers which we believe

have resulted in a declining farm income. This, in the opinion of our Committee on Appropriations, is a major factor in bringing on the great unemployment which exists in our Nation, with more than 5 million unemployed.

I do not know why the President continues to retain Elder Benson as Secretary of Agriculture. We Democrats have not called on the President to make a change in designation of Secretary of Agriculture because we felt that such action by the opposite party would not have the desired result. I would say, however, Mr. Speaker, that whatever purpose the President may have in continuing the tenure and policies of the present Secretary of Agriculture, I believe he should make a change, if only on a temporary basis.

In support of the need for a change, I am reminded of the early 1930's, a time of farm depression, when I was growing up in a north Mississippi agricultural community. Money was hard to come by and times were tough; and we were unable to afford a full-time preacher. In view of the ability of some of our visiting preachers to eat, frequently during revivals different families in the community would keep the visiting preachers for a day and night, after which some other family would take on this responsibility. By that policy of passing our preachers around, taking care of them did not cost anyone too much.

Mr. Speaker, may I say again that while we Democrats haven't joined in a call on the President to remove our Secretary of Agriculture, I do feel that, whatever reasons President Eisenhower has for keeping Elder Benson in his Cabinet, he should do as we once did in our community—the President should pass him around. If the President must keep him, if he would only transfer him to the position of Secretary of Labor, or Secretary of Commerce, or any other department even for a short period of time, it would be only fair. Mr. Speaker, if the President would get one of those departments to take Elder Benson for a year it might give our farmers a little chance to catch their breath; for truly, Elder Benson is just about to eat the farmers out of house and home.

#### CIVILIAN SPACE AGENCY

(Mr. COAD asked and was given permission to extend his remarks at this point.)

Mr. COAD. Mr. Speaker, yesterday the Congress was informed of the space proposals of President Eisenhower. This plan, as presented by the President, calls for a civilian space agency and is similar in great detail to the plan which I have presented the Congress in my bill H. R. 9966, which I introduced on January 14 of this year.

It is, I believe, a cause for serious concern that the President has recently ordered the military to launch rockets and to orbit satellites around the moon. Coincident with the President's order for the military to enter into this phase of the space program came the announcement that Nikita Khrushchev has

become the absolute dictator of Soviet Russia.

A man of Khrushchev's caliber in command of Russia will obviously feel challenged by our military in attempting to take over space. We must have adequate defense but if the military sets up an operation on the moon, then the moon will become a potential threat to the Russians for its very existence, however innocent, will present a challenge to the Russians because it will have been our Army and Air Force which will control the project.

Surely this Congress must act quickly yet thoroughly on matters relating to space. We must place moon and other space projects in the hands of civilians in line with the present geophysical year program. The maintenance of peace is based upon the correct moves during these days of expansion of a space program. Too much, too soon, by the wrong persons could be worse than none at all.

(Mr. MACK of Washington asked and was given permission to extend his remarks at this point.)

Mr. MACK of Washington. Mr. Speaker, only one provision in this bill will put very many people to work immediately. This is the provision increasing the forest access road and trail authorization that is now \$27 million a year to \$32 million.

The spending of this extra forest access road money can be started almost immediately after appropriations for it are available on next July 1.

The Forest Service is prepared and ready to start letting contracts for building these access roads at once. These roads are of a type that require the use of tremendous amounts of hand labor, and their building therefore will be most helpful in creating jobs almost immediately for unemployed persons. Among the labor required to build such roads is that of timber fallers, buckers, logging-truck drivers and caterpillar operators. Many of these are unemployed in Washington and Oregon due to the current slump in the lumber and plywood industries.

I hope the Forest Service will give special attention to building first forest roads in areas where unemployment is greatest.

Owing to the tremendous holdings of Federal timber in Oregon and Washington about one-half of this extra money will be used to build forest access roads in these two States. Unemployment in Washington and Oregon is far above the national average. Washington and Oregon on March 15, according to a report of the Department of Labor, had 102,619 unemployed on that date, as compared to only 30,779 on the same date a year ago.

#### GENERAL HIGHWAY FUNDS

While the sums provided by this bill for the construction of interstate roads and of State roads—primary, secondary, and urban—is enormous, there is small prospect that the funds will be used quickly to increase road construction although we all hope it will be used quickly.

In most States, governors have been dragging their feet on building roads with the Federal funds already avail-



able to them for such road construction. The Federal Bureau of Public Roads report for March 1, 1958 shows that there now is more than \$1.1 billion of interstate highway Federal money available to the States but which has not been requested by the States for use on road jobs.

The same report shows that \$600 million of Federal funds that are available to the governors for the asking for State primary, secondary, and urban roadbuilding are still lying here in Washington awaiting requests for their use from the governors.

The greatest help to create roadbuilding jobs for the unemployed would be for the governors to request and use Federal money now available to them which they so far have not requested.

Great sums authorized by Congress to help the States build roads do no good unless the governors ask for it and use it.

Some states are doing a good job on the roadbuilding program. California, Kansas, Ohio, Illinois, Oklahoma, and Michigan are using all of the money or nearly all of it allocated to them by the Federal Government. Many of the other States have used only from 25 to 50 percent of the money allocated to their states.

I urge governors who have been dragging their feet on the roads program to make a greater effort to speed up use of the Federal road funds which are available to them for the asking.

#### CORRECTION OF RECORD

Mr. JENSEN. Mr. Speaker, in my remarks of April 1, page 5336, I said:

We must remember that every depression we have had in this United States of America has been farm bred and farm led.

The word "profession" appears in the RECORD instead of the word "depression."

I ask unanimous consent that the permanent RECORD be corrected.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

#### CORRECTION OF ROLLCALL

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to correct rollcall No. 40. I was not recorded as voting. I was present in the Chamber and voted "aye" when my name was called.

The SPEAKER. Without objection, the rollcall will be corrected accordingly.

There was no objection.

[Mr. HOSMER addressed the House. His remarks will appear hereafter in the Appendix.]

#### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight Saturday to file a report.

The SPEAKER. Is there objection?

There was no objection.

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—DEFENSE REORGANIZATION (H. DOC NO. 366)

The SPEAKER laid before the House the following message from the President of the United States, which was read by the Clerk and referred to the Committee on Armed Services and ordered to be printed:

##### *To the Congress of the United States:*

Last January I advised the Congress of two overriding tasks in present world conditions—the insuring of our safety through strength, and the building of a genuine peace. To these ends, I outlined eight major items requiring urgent action.

One was defense reorganization.

In this message I discuss the administrative and legislative changes that I consider essential to the effective direction of our entire Defense Establishment. They are not numerous. They are, however, very important. They flow from these principles:

First, separate ground, seas, and air warfare is gone forever. If ever again we should be involved in war, we will fight it in all elements, with all services, as one single concentrated effort. Peacetime preparatory and organizational activity must conform to this fact. Strategic and tactical planning must be completely unified, combat forces organized into unified commands, each equipped with the most efficient weapons systems that science can develop, singly led and prepared to fight as one, regardless of service. The accomplishment of this result is the basic function of the Secretary of Defense, advised and assisted by the Joint Chiefs of Staff and operating under the supervision of the Commander in Chief.

Additionally, Secretary of Defense authority, especially in respect to the development of new weapons, must be clear and direct, and flexible in the management of funds. Prompt decisions and elimination of wasteful activity must be primary goals.

These principles I commend to the Congress. In conformity to them I have formulated and urgently recommend certain changes in our Defense Establishment. Clearly we should preserve the traditional form and pattern of the services but should regroup and redefine certain service responsibilities. From this will flow the following significant results:

Strategic planning will be unified.

Our fighting forces will be formed into unified commands effectively organized for the attainment of national objectives.

Military command channels will be streamlined.

The Joint Chiefs of Staff will be provided professional military assistance required for efficient strategic planning and operational control.

The control and supervision of the Secretary of Defense over military research and development will be strengthened.

The Secretary of Defense will be granted needed flexibility in the management of defense funds.

The Secretary of Defense and Joint Chiefs of Staff will be given a direct voice in the appointment, assignment, and removal of officers in the top two military ranks.

The authority of the Secretary of Defense will be clarified to enable him to function as a fully effective agent of the President as Commander in Chief.

The overall efficiency of the Defense Department will be increased.

The tendency toward service rivalry and controversy, which has so deeply troubled the American people, will be sharply reduced.

In the following remarks I set forth the background and details of these legislative and administrative proposals.

In recent years a revolution has been taking place in the techniques of war. Entirely new weapons have emerged. They transcend all we have before known in destructive power, in range, in swiftness of delivery. Thermonuclear weapons, missiles, new aircraft of great speed and range, atomic ground weapons, nuclear submarines have changed the whole scale and tempo of military destructiveness. Warning times are vanishing. There can be little confidence that we would surely know of an attack before it is launched. Speeds of flight are already such as to make timely reaction difficult and interception uncertain.

The need to maintain an effective deterrent to war becomes ever more critical. In this situation, we must find more efficient and economical means of developing new devices and fitting them into our Defense Establishment. We must so revise this establishment as not only to improve our own use of such devices; additionally we must be able to counter their use against us.

The products of modern technology are not, in many cases, readily adaptable to traditional service patterns or existing provisions of law. Thus there has tended to be confusion and controversy over the introduction of new weapons into our Armed Forces and over the current applicability of long-established service roles and missions.

Moreover, the new weapons and other defense undertakings are so costly as to heavily burden our entire economy. We must achieve the utmost military efficiency in order to generate maximum power from the resources we have available.

Confronted by such urgent needs, we cannot allow differing service viewpoints to determine the character of our defenses—either as to operational planning and control, or as to the development, production and use of newer weapons. To sanction administrative confusion and interservice debate is, in these times, to court disaster. I cannot overemphasize my conviction that our country's security requirements must not be subordinated to outmoded or single-service concepts of war.

An understanding of the course over which we have come to the present will help determine the path we should follow now and in the future.









Public Law 85-381  
85th Congress, H. R. 9821  
April 16, 1958

AN ACT

To amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, and the Act approved June 29, 1956 (70 Stat. 374), to authorize appropriations for continuing the construction of highways, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SEC. 1. FEDERAL-AID HIGHWAYS.

(a) (1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated the sum of \$900,000,000 for the fiscal year ending June 30, 1960; and the sum of \$925,000,000 for the fiscal year ending June 30, 1961. The sums herein authorized for each fiscal year shall be available for expenditure as follows:

Federal-Aid  
Highway Act of  
1958.  
23 USC 48 and  
note.

(A) 45 per centum for projects on the Federal-aid primary highway system.

(B) 30 per centum for projects on the Federal-aid secondary highway system.

(C) 25 per centum for projects on extensions of these systems within urban areas.

(2) APPORTIONMENTS.—The sums authorized by this section shall be apportioned among the several States in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838).

58 Stat. 840.

(b) AVAILABILITY FOR EXPENDITURE.—Any sums apportioned to any State under this section shall be available for expenditure in that State for two years after the close of the fiscal year for which such sums are authorized, and any amounts so apportioned remaining unexpended at the end of such period shall lapse: *Provided*, That such funds shall be deemed to have been expended if a sum equal to the total of the sums herein and heretofore apportioned to the State is covered by formal agreements with the Secretary of Commerce for construction, reconstruction, or improvements of specific projects as provided in this Act and prior Acts: *Provided further*, That in the case of those sums heretofore, herein, or hereafter apportioned to any State for projects on the Federal-aid secondary highway system, the Secretary of Commerce may, upon the request of any State, discharge his responsibility relative to the plans, specifications, estimates, surveys, contract awards, design, inspection, and construction of such secondary road projects by his receiving and approving a certified statement by the State highway department setting forth that the plans, design, and construction for such projects are in accord with the standards and procedures of such State applicable to projects in this category approved by him: *Provided further*, That such approval shall not be given unless such standards and procedures are in accordance with the objectives set forth in section 1 (b) of the Federal-Aid Highway Act of 1950: *And provided further*, That nothing contained in the foregoing provisos shall be construed to relieve any State of its obligation now provided by law relative to maintenance, nor to relieve the Secretary of Commerce of his obligation with respect to the selection of the secondary system or the location of projects thereon, to make a final inspection after construction of each project, and to require an adequate showing of the estimated and actual cost of construction of each project. Any Federal-aid

72 Stat. 89.  
72 Stat. 90.

64 Stat. 785.

primary, secondary, or urban funds released by the payment of the final voucher or by modification of the formal project agreement shall be credited to the same class of funds, primary, secondary, or urban, previously apportioned to the State and be immediately available for expenditure.

SEC. 2. ADDITIONAL AUTHORIZATION OF APPROPRIATION OF FEDERAL-AID PRIMARY, SECONDARY, AND URBAN FUNDS—(a) AMOUNT AND APPORTIONMENT.—For the purpose of carrying out the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1959, \$400,000,000 in addition to any sums heretofore authorized for such fiscal year. The sum herein authorized shall be apportioned: (A) 45 per centum for projects on the Federal-aid primary highway system, (B) 30 per centum for projects on the Federal-aid secondary highway system, and (C) 25 per centum for projects on extensions of these systems within urban areas among the several States immediately upon enactment of this Act in the manner now provided by law and in accordance with the formulas set forth in section 4 of the Federal-Aid Highway Act of 1944, approved December 20, 1944 (58 Stat. 838), using the same percentage distribution as was used in the apportionment of Federal-aid highway funds heretofore authorized for the fiscal year ending June 30, 1959.

58 Stat. 840.

(b) AVAILABILITY FOR EXPENDITURE.—The amounts authorized to be appropriated in section 2 (a) herein shall be available for expenditure pursuant to contracts awarded or work commenced by the State highway departments prior to December 1, 1958, for completion of construction prior to December 1, 1959, subject to delays caused by circumstances and conditions beyond the control of, and without the fault of any contractor on such contracts, and delays created by acts of God. Any amounts apportioned to a State under provisions of this section remaining unexpended on December 1, 1958, shall lapse: *Provided*, That such funds shall be deemed to have been expended when covered by contracts awarded or work commenced prior to December 1, 1958, and on account of which formal agreements with the Secretary of Commerce are entered into prior to January 1, 1959, for specific projects.

(c) EXPENDITURE WITHOUT LIMITATION AS TO SYSTEM.—The sums apportioned under this section shall be available for expenditure for projects on the primary or secondary Federal-aid systems, including extensions of these systems within urban areas, without limitation as to the amount of any class of funds, primary, secondary, or urban, apportioned for projects on any system.

72 Stat. 90.

72 Stat. 91.

(d) FEDERAL SHARE.—The Federal share payable on account of any project provided for by funds made available under the provisions of this section shall not exceed 66⅔ per centum of the total cost thereof plus, in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per centum of the total area of all lands therein, a percentage of the remaining 33⅓ per centum of such cost equal to the percentage that the area of such lands in such State is of its total area: *Provided*, That such Federal share payable on any project in any State shall not exceed 95 per centum of the total cost of such project.

(e) AUTHORIZATION OF APPROPRIATION FOR INCREASING FEDERAL SHARE.—For the purpose of assisting any State in meeting the requirements for State funds to match any sums apportioned to such State under the provisions of this section, there is hereby authorized to be appropriated the sum of \$115,000,000, which sum may be used by the



Secretary of Commerce upon the request of any State to increase the Federal share payable on account of any project provided for by funds made available under the provisions of this section: *Provided*, That the amount of such increase of the Federal share shall not exceed two-thirds of the State's share of the cost of such project.

(f) **REPAYMENT OF AMOUNTS USED TO INCREASE FEDERAL SHARE.**—The total amount of such increases in the Federal share as are made pursuant to subsection (e) above, shall be repaid to the Federal Government by making deductions of sums equal to the amounts so expended for projects on the Federal-aid primary highway system, the Federal-aid secondary highway system and extensions of such systems in urban areas in two equal annual installments from the amounts available to such State for expenditure on such highways under any apportionment of funds herein or hereafter authorized to be appropriated therefor for the fiscal years ending June 30, 1961, and June 30, 1962.

(g) **CONTRACT AUTHORITY.**—Approval by the Secretary of Commerce of any project on account of which the Federal share is increased under the provisions of this section shall be deemed a contractual obligation of the Federal Government for the payment of such increase in the Federal share, and its expenditure shall be governed by the provisions of subsection (b) of this section.

(h) **DECLARATION OF INTENT.**—It is hereby declared to be the intent of the Congress that the sum authorized under subsection (a) of this section shall be supplementary to, and not in lieu of, any other sum heretofore or herein authorized for expenditure on the Federal-aid primary or secondary systems, including extensions of these systems within urban areas, and is made available for the purpose of immediate acceleration of the rate of highway construction on these systems beyond that being accomplished with funds heretofore authorized.

### SEC. 3. FOREST HIGHWAYS AND FOREST DEVELOPMENT ROADS AND TRAILS.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out the provisions of section 23 of the Federal Highway Act of 1921 (42 Stat. 218), as amended and supplemented, there is hereby authorized to be appropriated (1) for forest highways the additional sum of \$5,000,000 for the fiscal year ending June 30, 1959, and the sum of \$33,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961; and (2) for forest development roads and trails the additional sum of \$5,000,000 for the fiscal year ending June 30, 1959, and the sum of \$30,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961: *Provided*, That with respect to any proposed construction or reconstruction of a timber access road, advisory public hearings may be held at a place convenient or adjacent to the area of construction or reconstruction with notice and reasonable opportunity for interested persons to present their views as to the practicability and feasibility of such construction or reconstruction: *Provided further*, That hereafter funds available for forest highways and forest development roads and trails shall also be available for adjacent vehicular parking areas and for sanitary, water, and fire control facilities: *Provided further*, That the additional sum authorized under this subsection for forest highways for the fiscal year ending June 30, 1959, shall be apportioned for expenditure in each State, Alaska, and Puerto Rico immediately upon enactment of this Act: *Provided further*, That the additional amount herein authorized for the fiscal year ending June 30, 1959, and the amounts authorized herein for forest highways for each of the fiscal years ending June 30, 1960, and June 30, 1961, shall be apportioned for expenditure in each State, Alaska, and Puerto Rico in the same percentage as the amounts appro-

23 USC 23.

72 Stat. 91.

72 Stat. 92.

tioned for expenditure in each State, Alaska, and Puerto Rico from funds authorized for forest highways for the fiscal year ending June 30, 1958: *And provided further*, That when approved by the Secretary of Commerce, a State may use not to exceed the lesser of \$500,000 or 5 per centum of the amounts apportioned to such State under section 1 hereof for each of the fiscal years ending June 30, 1960, and June 30, 1961, for the construction, reconstruction, or improvement of forest highways on any of the Federal-aid highway systems and such sums may be expended in the same manner as funds authorized by this section.

(b) **FOREST HIGHWAYS STUDY.**—The Secretary of Commerce, in cooperation with the Secretary of Agriculture and the appropriate officers of each State containing a national forest, the Commonwealth of Puerto Rico, and the Territory of Alaska, shall make a study to determine—

(1) the roads of primary importance to a State, county, or community which are within, adjoining, or adjacent to a national forest and have not been designated as forest highways;

(2) the amount necessary to complete construction of all designated forest highways;

(3) the amounts necessary for the fiscal year ending June 30, 1962, and for each of the nine succeeding fiscal years to survey, construct, reconstruct, and maintain (A) roads described in paragraph (1) of this subsection if such roads were forest highways, and (B) roads designated as forest highways, in accordance with a program to be recommended by the Secretary of Commerce after consultation with the Secretary of Agriculture; and

(4) the method by which the amounts determined pursuant to paragraph (3) of this subsection should be apportioned for expenditure in the several States, Alaska, and Puerto Rico.

Reports.

The Secretary of Commerce shall report the results of such study to the President and the Congress on or before January 1, 1960.

#### SEC. 4. ROADS AND TRAILS IN NATIONAL PARKS, ETC.

(a) **NATIONAL PARKS, ETC.**—For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of \$18,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961.

16 USC 8a-8c.

72 Stat. 92.

72 Stat. 93.

(b) **PARKWAYS.**—For the construction, reconstruction, and improvement of parkways, authorized by Acts of Congress, on lands to which title is vested in the United States, there is hereby authorized to be appropriated the sum of \$16,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961.

(c) **INDIAN RESERVATIONS AND LANDS.**—For the construction, reconstruction, and improvement of Indian reservation roads and bridges and roads and bridges to provide access to Indian reservations and Indian lands under the provisions of the Act approved May 26, 1928 (45 Stat. 750), there is hereby authorized to be appropriated the sum of \$12,000,000 for the fiscal year ending June 30, 1960, and a like sum for the fiscal year ending June 30, 1961: *Provided*, That the location, type, and design of all roads and bridges constructed shall be approved by the Secretary of Commerce before any expenditures are made thereon, and all such construction shall be under the general supervision of the Secretary of Commerce.

25 USC 318a.



**SEC. 5. PUBLIC LANDS HIGHWAYS.**

For the purpose of carrying out the provisions of section 10 of the Federal-Aid Highway Act of 1950 (64 Stat. 785), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations the additional sum of \$1,000,000 for the fiscal year ending June 30, 1959, and the sum of \$3,000,000 for each of the fiscal years ending June 30, 1960, and June 30, 1961.

**SEC. 6. SPECIAL PROVISIONS FOR FEDERAL DOMAIN ROADS, ETC.**

Any funds authorized herein for forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public lands highways shall be available for contract upon apportionment, or a date not earlier than one year preceding the beginning of the fiscal year for which authorized if no apportionment is required: *Provided*, That any amount remaining unexpended two years after the close of the fiscal year for which authorized shall lapse. The Secretary of the department charged with the administration of such funds is hereby granted authority to incur obligations, approve projects, and enter into contracts under such authorizations, and his action in doing so shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and such funds shall be deemed to have been expended when so obligated. Any funds heretofore, herein, or hereafter authorized for any fiscal year for forest highways, forest development roads and trails, park roads and trails, parkways, Indian roads, and public lands highways shall be deemed to have been expended if a sum equal to the total of the sums authorized for such fiscal year and previous fiscal years since and including the fiscal year ending June 30, 1955, shall have been obligated. Any of such funds released by payment of final voucher or modification of project authorization shall be credited to the balance of unobligated authorizations and be immediately available for expenditure.

**SEC. 7. (a) AUTHORIZATION OF APPROPRIATIONS FOR INTERSTATE SYSTEM.**—Section 108 (b) of the Federal-Aid Highway Act of 1956 (70 Stat. 374) is hereby amended to read as follows:

23 USC 158b.

“(b) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of expediting the construction, reconstruction, or improvement, inclusive of necessary bridges and tunnels, of the Interstate System, including extensions thereof through urban areas, designated in accordance with the provisions of section 7 of the Federal-Aid Highway Act of 1944

23 USC 60.

(58 Stat. 838), there is hereby authorized to be appropriated the additional sum of \$1,000,000,000 for the fiscal year ending June 30, 1957, which sum shall be in addition to the authorization heretofore made for that year, the additional sum of \$1,700,000,000 for the fiscal year ending June 30, 1958, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1959, the additional sum of \$2,500,000,000 for the fiscal year ending June 30, 1960, the additional sum of \$2,500,000,000 for the fiscal year ending June 30, 1961, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1962, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1963, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1964, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1965, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1966, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1967, the additional sum of \$1,500,000,000 for the fiscal year ending June 30, 1968, and the additional sum of \$1,025,000,000 for the fiscal year ending June 30, 1969.”

72 Stat. 93.

72 Stat. 94.

(b) **APPORTIONMENTS.**—Any portion of the additional sum author-

23 USC 158j.

ized for the fiscal year ending June 30, 1959, by section 108 (b) of the Federal-Aid Highway Act of 1956, as amended by this section, that has not been apportioned heretofore shall be apportioned immediately upon enactment of this Act, using certifications previously furnished by the States pursuant to section 108 (j) of the Federal-Aid Highway Act of 1956 and using the same percentage distributions as were used heretofore in the apportionment of funds authorized by section 108 (b) of the Federal-Aid Highway Act of 1956 for the fiscal year ending June 30, 1959.

**SEC. 8. APPROVAL OF ESTIMATE OF COST OF COMPLETING THE INTERSTATE SYSTEM.**

23 USC 158d.

The estimate of cost of completing the Interstate System in each State, transmitted to the Congress on January 7, 1958, by the Secretary of Commerce pursuant to the provisions of section 108 (d) of the Act approved June 29, 1956 (70 Stat. 374), and published as House Document Numbered 300, Eighty-fifth Congress, second session, is hereby approved as the basis for making the apportionment of the funds authorized for the Interstate System for the fiscal year ending June 30, 1960.

23 USC 173g.

**SEC. 9. APPORTIONMENT OF FEDERAL-AID HIGHWAY FUNDS FOR FISCAL YEARS 1959 AND 1960.**—Notwithstanding the provisions of section 209 (g) of the Act approved June 29, 1956 (70 Stat. 374), the Secretary of Commerce is authorized and directed to apportion among the several States in the manner provided by law, all of the funds authorized for the fiscal years 1959 and 1960, for the Interstate System and the Federal-aid primary and secondary highway systems, including extensions thereof within urban areas.

23 USC 14.

**SEC. 10. PAYMENTS FOR STOCKPILED MATERIALS.**—The first sentence of the second paragraph of section 13 of the Federal Highway Act, approved November 9, 1921 (42 Stat. 212), is amended by inserting before the period at the end thereof the following: "plus the United States pro rata part of the value of the materials which have been stockpiled in the vicinity of such construction or reconstruction in conformity to said plans and specifications".

23 USC 162a.

**SEC. 11.** Subsection (a) of section 111 of the Federal-Aid Highway Act of 1956 is amended to read as follows:

72 Stat. 94.

72 Stat. 95.

"(a) **AVAILABILITY OF FEDERAL FUNDS FOR REIMBURSEMENT TO STATES.**—Subject to the conditions contained in this section, whenever a State shall pay for the cost of relocation of utility facilities necessitated by the construction of a project on the Federal-aid primary or secondary systems or on the Interstate System, including extensions thereof within urban areas, Federal funds may be used to reimburse the State for such cost in the same proportion as Federal funds are expended on the project: *Provided*, That Federal funds shall not be reimbursed to any State under this section when the payment to the utility violates the law of the State or violates a legal contract between the utility and the State: *Provided further*, That such reimbursement shall be made only after evidence satisfactory to the Secretary shall have been presented to him substantiating the fact that the State has paid such cost from its own funds with respect to Federal-aid highway projects for which Federal funds are obligated subsequent to the date of enactment of the Federal-Aid Highway Act of 1958 for work, including relocation of utility facilities."

23 USC 172.

**SEC. 12.** The Federal-Aid Highway Act of 1956 (70 Stat. 374) is amended by renumbering section 122 as section 123 and inserting a new section 122, as follows:



**"SEC. 122. AREAS ADJACENT TO THE INTERSTATE SYSTEM.**

"(a) **NATIONAL POLICY.**—To promote the safety, convenience, and enjoyment of public travel and the free flow of interstate commerce and to protect the public investment in the National System of Interstate and Defense Highways, it is hereby declared to be in the public interest to encourage and assist the States to control the use of and to improve areas adjacent to the Interstate System by controlling the erection and maintenance of outdoor advertising signs, displays, and devices adjacent to that system. It is hereby declared to be a national policy that the erection and maintenance of outdoor advertising signs, displays, or devices within six hundred and sixty feet of the edge of the right-of-way and visible from the main-traveled way of all portions of the Interstate System constructed upon any part of right-of-way, the entire width of which is acquired subsequent to July 1, 1956, should be regulated, consistent with national standards to be prepared and promulgated by the Secretary, which shall include only the following four types of signs, and no signs advertising illegal activities:

"(1) Directional or other official signs or notices that are required or authorized by law.

"(2) Signs advertising the sale or lease of the property upon which they are located.

"(3) Signs erected or maintained pursuant to authorization or permitted under State law, and not inconsistent with the national policy and standards of this section, advertising activities being conducted at a location within twelve miles of the point at which such signs are located.

"(4) Signs erected or maintained pursuant to authorization in State law and not inconsistent with the national policy and standards of this section, and designed to give information in the specific interest of the traveling public.

"(b) **AGREEMENTS.**—The Secretary of Commerce is authorized to enter into agreements with State highway departments (including such supplementary agreements as may be necessary) to carry out the national policy set forth in subsection (a) of this section with respect to the Interstate System within the State. Any such agreement shall include provisions for regulation and control of the erection and maintenance of advertising signs, displays, and other advertising devices in conformity with the standards established in accordance with subsection (a) and may include, among other things, provisions for preservation of natural beauty, prevention of erosion, landscaping, reforestation, development of viewpoints for scenic attractions that are accessible to the public without charge, and the erection of markers, signs, or plaques, and development of areas in appreciation of sites of historical significance. Upon application of the State, any such agreement may, within the discretion of the Secretary of Commerce, consistent with the national policy, provide for excluding from application of the national standards segments of the Interstate System which traverse incorporated municipalities wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control, or which traverse other areas where the land use is clearly established by State law as industrial or commercial: *Provided, however,* That any such segment excluded from the application of such standards shall not be considered in computing the increase of the Federal share payable on account thereof. 72 Stat. 95.  
72 Stat. 96.

"(c) **FEDERAL SHARE.**—Notwithstanding the provisions of section 2 of the Federal-Aid Highway Act of 1944 (58 Stat. 838), if an agreement pursuant to this section has been entered into with any State prior to July 1, 1961, the Federal share payable on account of any 58 Stat. 839.

Ante p. 93.

project on the Interstate System within that State provided for by funds authorized under the provisions of section 108 of this Act, to which the national policy and the agreement apply, shall be increased by one-half of one per centum of the total cost thereof, not including any additional cost that may be incurred in the carrying out of the agreement: *Provided*, That the increase in the Federal share which is payable hereunder shall be paid only from appropriations from moneys in the Treasury not otherwise appropriated, which such appropriations are hereby authorized.

“(d) Whenever any portion of the Interstate System is located upon or adjacent to any public lands or reservations of the United States, the Secretary of Commerce may make such arrangements and enter into such agreements with the agency having jurisdiction over such lands or reservations as may be necessary to carry out the national policy set forth in subsection (a) of this section, and any such agency is hereby authorized and directed to cooperate fully with the Secretary of Commerce in this connection.

“(e) Whenever a State shall acquire by purchase or condemnation the right to advertise or regulate advertising in an area adjacent to the right-of-way of a project on the Interstate System for the purpose of implementing this section, the cost of such acquisition shall be considered as a part of the cost of construction of such project and Federal funds may be used to pay the Federal pro rata share of such cost: *Provided*, That reimbursement to the State shall be made only with respect to that portion of such cost which does not exceed 5 per centum of the cost of the right-of-way for such project.”

23 USC 167(o).

SEC. 13. PUBLIC HEARINGS.—Section 116 (c) of the Federal-Aid Highway Act of 1956 is amended by inserting therein, immediately before the colon preceding the proviso, a semicolon and the following: “and any State highway department which submits plans for an Interstate System project shall certify to the Secretary of Commerce that it has had public hearings at a convenient location, or has afforded the opportunity for such hearings, for the purpose of enabling persons in rural areas through or contiguous to whose property the highway will pass to express any objections they may have to the proposed location of such highway”.

#### SEC. 14. RELATIONSHIP OF THIS ACT TO OTHER ACTS: EFFECTIVE DATE.

Effective date.

All provisions of the Federal-Aid Road Act approved July 11, 1916, together with all Acts amendatory thereof or supplementary thereto, not inconsistent with this Act, shall remain in full force and effect and be applicable hereto. All Acts or parts of Acts in any way inconsistent with the provisions of this Act are hereby repealed. This Act shall take effect on the date of enactment.

#### SEC. 15. SHORT TITLE.

Short title.

This Act may be cited as the “Federal-Aid Highway Act of 1958”.  
Approved April 16, 1958.